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## Near East/South Asia Report



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15 August 1984

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NEW PERSONAL STATUS CODE REPORTED

Algiers EL MOUDJAHID in French 20, 21, 22-23 Jun 84

[Family Code, Law No 84-11 of 9 June 1984]

[20 Jun 84 p 4]

[Text] The President of the Republic:

In accordance with the Constitution, particularly Articles 151-152 and 154;

Following passage by the People's National Assembly, promulgates the law whose contents follow.

General Provisions

Article 1. All relations between family members are governed by the provisions of this law.

Article 2. The family is the basic unit of society. It is made up of persons linked by the bonds of marriage and family relationships.

Article 3. In its way of life, the family is based on unity, solidarity, true understanding, a sound upbringing, good morals, and the elimination of social evils.

Book 1. Marriage and Its Dissolution

Section 1. Marriage

Chapter 1. Marriage and Engagement

Article 4. Marriage is a contract made between a man and a woman according to the law. Among its purposes is that of instituting a family based on affection, goodness, mutual help, providing moral protection for the two spouses and preserving family ties.

Article 5. Engagement constitutes a promise of marriage. Either of the two parties may break it.

If a broken engagement results in material or moral harm to one of the two parties, reparations may be ordered.

If the broken engagement is done by the man, he may not claim restitution of any gift.

If the engagement is broken off by the woman, she must give back that which has not been used.

Article 6. The engagement may be concomitant with the Fatihah or precede it by an undetermined length of time.

The engagement and the Fatihah are governed by the provisions of Article 5 above.

Article 7. Legal marriage age is 21 years for the man and 18 for the woman.

However, the judge may grant a dispensation of age based on sound reasons or in case of need.

Article 8. Marriage may be contracted with more than one wife within the limits set by the Shari'ah if the reason is justified, if the conditions and intention of fairness exist and after previous and future wives have been informed. Both wives may institute legal action against the spouse in the case of misrepresentation or ask for a divorce in the absence of consent.

#### Elements Constituting Marriage

Article 9. Marriage is contracted by the consent of the future spouses, the presence of the matrimonial sponsor and two witnesses, as well as a dowry.

Article 10. Consent stems from the request of one of the two parties and the acceptance of the other, expressed in terms signifying legal marriage.

In the case of handicapped persons, the request and consent are valid when expressed in any written form or gesture signifying marriage in language or custom.

Article 11. Conclusion of marriage for the woman is the responsibility of her matrimonial sponsor, who is either her father or a close relative.

The judge is the matrimonial sponsor of a person not having one.

Article 12. The matrimonial sponsor (wali) cannot prevent the person placed under his sponsorship from contracting marriage if she so desires it and if marriage is beneficial to her. If there is opposition, the judge may authorize the marriage, within the provisions of Article 9 of this law.

However, the father may oppose the marriage of a minor daughter if that is in her interest.

Article 13. The wali (matrimonial sponsor), whether he be the father or another person, is prohibited from forcing the person placed under his tutelage to marry, nor can he have her married without her consent.

Article 14. The dowry is that which is paid to the future wife in currency or in the form of any other legal property. The dowry belongs to her and she may dispose of it freely.

Article 15. The dowry must be determined in the marriage contract as to whether payment is to be immediate or over a period of time.

Article 16. The dowry reverts to the wife upon consummation of the marriage or the death of the husband.

Half of the dowry is rightfully hers if the marriage ends in divorce before consummation.

Article 17. If, before consummation of the marriage, the dowry results in a dispute between the spouses or their heirs and if no proof is submitted, it goes to the wife or her heirs legally. If the dispute occurs following consummation, the dowry legally goes to the husband or his heirs.

#### Act and Proof of Marriage

Article 18. The act of marriage is performed before a notary or legally empowered official according to the provisions of Article 9 of this law.

Article 19. The two spouses may stipulate in the marriage contract any clause they deem fit unless it be contrary to the provisions of this law.

Article 20. The future husband may be represented by a proxy with power of attorney to take his place in the marriage ceremony.

Article 21. The provisions of the Civil Code are applicable with respect to the recording of the marriage.

Article 22. The marriage is proved by the issuance of a marriage certificate. If the marriage is not recorded, it is rendered valid by legal order if the elements constituting marriage exist in keeping with the provisions of this law. Once this procedure has been complied with, the marriage is recorded.

#### Chapter 2. Obstacles to Marriage

Article 23. The two spouses must have no absolute or temporary obstacles to marriage.

Article 24. Absolute impediments to legal marriage are: family relationships, marriage, nursing.

Article 25. Women prohibited by family relationships are the mothers, daughters, sisters, paternal and maternal aunts, daughters of the brother and sister.

Article 26. Women prohibited by marriage are: 1) ancestors of the wife upon conclusion of the act of marriage; 2) descendants of the wife following consummation of the marriage; 3) the widows or divorced wives of ancestors of the husband, for all times; and 4) the widows or divorced wives of descendants of the husband, for all times.

Article 27. Nursing results in a ban on marriage for all women by virtue of the family relationship.

Article 28. The suckling child, with the exception of brothers and sisters, is said to be related to the wet nurse and her husband and considered the brother of all their children.

This ban applies to the suckling child and all its descendants.

Article 29. The ban by virtue of nursing has no effect unless the nursing takes place before weaning or during the first two years of the suckling child's life, independently of the amount of milk taken.

Article 30. Women banned temporarily are: women already married; women during the legal waiting period following divorce or the death of the husband; women divorced three times by the same spouse for the same spouse; women reaching the legal limit of marriages.

The man is prohibited from having as wives two sisters simultaneously or having as wives at the same time a woman and her paternal or maternal aunt, whether they be full or half sisters, half sisters on the mother's side or nursing sisters.

Article 31. Muslim women may not marry non-Muslim men.

Marriage by Algerian men and women to foreigners of the two sexes must obey legal provisions.

### Chapter 3. Vitiated Marriage and Annulled Marriages

Article 32. Marriage is declared nul and void if one of the constitutive elements is vitiated or if there is some impediment, a clause contrary to the purpose of the contract, or if the apostasy of the spouse is established.

Article 33. Contracted without the presence of the matrimonial sponsor, the two witnesses or the dowry, the marriage is declared void before consummation and bestows no right to the dowry. Following consummation, it is confirmed in exchange for the dowry of parity (sadaq al-mithl) if one of the constitutive elements is vitiated. It is declared void if several of the elements are vitiated.

Article 34. Any marriage contracted with one of the women prohibited to marry is declared void before and after consummation. However, the resulting consanguinity is confirmed and the woman is forced into a legal waiting period.



Article 35. If the act of marriage involves a clause contrary to its purpose, the clause is declared void but the marriage remains valid.

#### Chapter 4. Rights and Obligations of the Two Spouses

Article 36. The obligations of the two spouses are as follows: 1) to safeguard conjugal ties and the duties of marital life; 2) to contribute jointly to the safeguarding of family interests, protection of the children and their sound upbringing; and 3) to safeguard family relationships and good relations with parents and close relatives.

Article 37. The husband must: 1) ensure his wife's support within his capabilities unless it has been shown that she has abandoned the conjugal home; and 2) act in all fairness toward his wives if he has more than one.

Article 38. The wife has the right to: visit her prohibited relatives and receive them in keeping with common use and custom; and to dispose of her possessions with complete freedom.

Article 39. The wife must: 1) obey her husband and grant him the consideration due as head of the family; 2) nurse his offspring if she is capable of doing so and raise them; and 3) respect the parents of her husband and his close relatives.

#### Chapter 5. Consanguinity

Article 40. Consanguinity is established by valid marriage, recognition of paternity, proof, apparent or vitiated marriage and any marriage annulled after consummation, in accordance with Articles 32, 33 and 34 of this law.

Article 41. The child is related to his father by virtue of legal marriage, the possibility of conjugal relations except in the case of disavowal of paternity following legal procedures.

Article 42. The minimum duration of pregnancy is six months and the maximum ten months.

Article 43. The child is related to the father if born within the ten months following the date of separation or death.

Article 44. Recognition of consanguinity, paternity or maternity, even pronounced during illness preceding death, establish the consanguinity of a person of ancestors unknown, however little reason or custom may approve.

Article 45. Recognition of a family relationship outside of consanguinity, paternity or maternity cannot force a third party other than the author of recognition unless the latter so confirms it.

Article 46. Adoption (Tabanni) is forbidden by the Shari'ah and the law.

## Section 2. Dissolution of Marriage

Article 47. Dissolution of marriage occurs through divorce or the death of one of the partners.

### Chapter 1. Divorce

Article 48. Divorce is the dissolution of marriage. It occurs as a result of the will of the spouses, by mutual consent of the two spouses or upon the request of the wife within the confines of cases included in Articles 53 and 54.

Article 49. Divorce can only be established by a ruling preceded by an attempt at reconciliation by the judge, which period cannot exceed three months.

Article 50. Taking back the wife during the period of attempted reconciliation does not require a new marriage ceremony. However, when there has been a divorce ruling, a new marriage ceremony is required before the wife may be taken back.

Article 51. Any man who has divorced his wife three successive times cannot take her back until she has first married someone else, divorced him or following his death after cohabitation.

Article 52. If the judge sees that the husband has made excessive use of his power of divorce, he grants the wife the right to damage and interest for the harm she has suffered.

If he has custody and the wife has no sponsor who agrees to take her in, then the wife and her children have the right to housing based on the husband's capabilities.

Excluded from this decision is the conjugal home if it is a single residence. However, the divorced woman loses this right once she has remarried or found guilty of immoral conduct duly established.

Article 53. The wife may file for divorce for the following reasons: 1) failure to pay the food allowance pronounced by the court unless the wife had knowledge of her husband's indigence at the time of marriage but subject to the provisions of Articles 78, 79 and 80 and this law; 2) for infirmities standing in the way of achievement of the purpose of the marriage; 3) the husband's refusal to share the wife's marriage bed for over four months; 4) imprisonment of the husband for a period of over one year, resulting in dishonor to the family and making life together and the resumption of conjugal life impossible; 5) absence for over a year without any valid excuse or without support; 6) any harm legally recognized as such, particularly violation of the provisions contained in Articles 8 and 37; and 7) any duly established grave immoral act.

Article 54. The wife may separate from her husband in exchange for reparation (khul'ah) following agreement on the latter. If there is disagreement, the judge orders payment of a sum whose amount cannot exceed the value of the dowry of parity at the time of the ruling.



Article 55. If the conjugal home is abandoned by one of the two spouses, the judge grants the divorce and the right to damage and interest for the party suffering the loss.

Article 56. If the misunderstanding grows worse between the two spouses and no fault is established, two arbitrators must be appointed to reconcile them.

The two arbitrators, one chosen from the close relatives of the husband and the other from the close relatives of the wife, are appointed by the judge. They must present a report on their duties within two months.

Article 57. Divorce rulings cannot be appealed except in their material aspects.

## Chapter 2. Effects of Divorce and Legal Waiting Period ('Iddah)

Article 58. A woman who is not pregnant and who is divorced following consummation of the marriage must observe a legal waiting period whose length is three monthly menstrual periods. The legal waiting period of a divorced woman who does not menstruate is three months from the date of the divorce ruling.

Article 59. The wife whose husband dies must observe a legal waiting period whose length is four months and ten days. The same is true of the wife whose husband is declared missing, counting from the date on which he was legally declared absent.

Article 60. The legal waiting period of a pregnant woman lasts until she delivers. The maximum length of pregnancy is ten months, counting from the day of the divorce or the death of the husband.

Article 61. The divorced woman and any woman whose husband is dead must not leave the conjugal home during the period of waiting except in the case of a duly established immoral act. The divorced woman has the right to alimony during the legal waiting period.

## Custody (Hadanah)

Article 62. The right of custody (Hadanah) consists in the support, education and upbringing of the child in the religion of its father, as well as protection of its physical and moral health.

The holder of this right must be capable of exercising it.

Article 63. In case of abandonment of the family by the father or the father's disappearance, the judge may, before judgment is pronounced, authorize the mother, following a simple petition, to sign any administrative document of an educational or social nature having to do with the child's situation within the national territory.

Article 64. Custody is granted first to the mother of the child, then to her mother, then to the maternal aunt, then to the father, then to his mother, then to the closest relatives, seeking the best interest of the child. In pronouncing custody, the judge must grant visiting rights to the other party.

Article 65. Custody of male children ceases at 10 years and that of female children at the age at which they are eligible to marry.

The judge may extend this period to 16 years for male children placed under the custody of the mother if the mother has not remarried.

However, the interest of the child is to be taken into account in pronouncing the end to custody.

Article 66. The holder of the right to custody who marries a person not related to the child by a prohibited degree of consanguinity loses the right of custody. Custody also ceases by virtue of renunciation if the latter does not compromise the interest of the child.

Article 67. Custody ceases when the holder no longer fulfills one of the legal conditions provided for in Article 62 above.

However, in the judgment on the above provision, the interest of the child must be taken into account.

Article 68. The party with the right to custody who delays more than one year in claiming it loses the right to custody if there is no valid excuse.

Article 69. If the party with custody wishes to live in a foreign country, the judge may uphold the right to custody or cancel it, based on the interest of the child.

Article 70. The maternal grandmother or the maternal aunt loses custody if she cohabits with the mother of the child in question who has remarried with a man not related to the child by a prohibited degree of consanguinity.

Article 71. Custody is restored as soon as the involuntary act motivating its loss disappears.

Article 72. Support and lodging expenses are the responsibility of the child in question if it has the means. Otherwise, it is up to the father to provide his housing or pay his rent if it does not have the means.

#### Conjugal Disputes

Article 73. If a dispute occurs between the spouses or their heirs relating to the property of the conjugal home and if there is no proof from either side, then the statement of the wife or her heirs will prevail regarding matters relating to women and the statement of the husband or his heirs will prevail regarding matters relating to men.

Common property used by both the man and the woman is divided between the two based on their sworn oath.

### Section 3. Alimony

Article 74. Based on the provisions of Articles 78, 79 and 80 of this law, the husband must provide for the support of his wife from the time the marriage is consummated or, if the latter so requires, based on proof.

Article 75. The father must provide for the support of his children unless they have their own resources.

For male children, support is to be paid until they reach legal age and for female children, until their marriage is consummated.

The father remains subject to this obligation if the child is physically or mentally handicapped or in school.

The obligation comes to an end as soon as the child is able to meet its own needs.

Article 76. If the father is incapacitated, support of the children is the responsibility of the mother when she can provide for them.

Article 77. Support of the elderly is the responsibility of their descendants and vice versa, with the degree of closeness determining the order of priority based on possibilities and needs.

Article 78. Support consists in food, clothing, medical care, housing or the rental of housing and anything deemed necessary in keeping with usage and custom.

Article 79. Concerning the evaluation of support, the judge must consider the situation of the spouses and their living conditions. This evaluation cannot be challenged for a year after the ruling.

Article 80. Support is due from the date the case is introduced into court.

It is up to the judge to rule on the payment of alimony on the strength of proof, for a period not exceeding one year before the case is introduced.

## Book 2. Legal Representation

### Chapter 1. General Provisions

Article 81. Any person who is completely or partially disabled because of age, insanity, retardation or irresponsibility is legally represented by a legal guardian or executor or tutor dative, in keeping with the provisions of this law.

Article 82. The acts of any person who has not yet reached the age of reason, in accordance with Article 42 of the Civil Code, are null.

Article 83. The acts of a person having reached the age of reason, without being legally of age based on Article 43 of the Civil Code, are valid if they are beneficial to him and null if there are harmful.

These acts are subject to the authorization of the legal guardian or the executor when there is uncertainty as to whether they are beneficial or harmful.

In the case of dispute, the matter will be brought before the court.

Article 84. The judge may authorize persons having reached the age of reason to dispose of all or part of his property, at the request of any person having a stake. However, the judge may reverse his decision if he accepts the grounds for it.

Article 85. Actions of any person who is insane, mentally retarded or incompetent to handle his own affairs, accomplished as the result of these states, are null.

Article 86. Any person of legal age not specifically prohibited is fully competent in accordance with the provisions of Article 40 of the Civil Code.

## Chapter 2. Guardianship

Article 87. The father is the guardian of his minor children. Upon his death, guardianship reverts to the mother legally.

Article 88. The guardian must handle the property of his charge in the best interest of the latter. He is responsible in keeping with common law and must seek the judge's authorization for the following: 1) the sale, division and mortgaging of property and transactions; 2) the sale of furnishings of great value; 3) the investment of the minor's capital through loans, borrowing or any buying of shares; and 4) the rental of the minor's property for a period of over three years or exceeding his legal age by a year.

Article 89. The judge grants the authorization, based on the needs and interest of the minor child, for the sale to take place by public auction.

Article 90. If there is a conflict between the interests of the guardian and those of his charge, an ad hoc administrator is automatically appointed or at the request of a person with a stake therein by a judge.

Article 91. The administration of the guardian ceases: 1) as a result of his inability to exercise guardianship; 2) because of death; 3) by virtue of judicial or legal prohibition; and 4) by its expiration.

## Chapter 3. Executorship

Article 92. A minor child may be placed under the guardianship of an executor by his father or grandfather when that child has lost its mother or when her incompetency has been legally established. If there is a plurality of executors, the judge may choose the most qualified in keeping with Article 86 of this law.

Article 93. The executor must be Muslim, judicious, past puberty, capable, honest and a good administrator. If he does not fulfill the above conditions, the judge may revoke his appointment.

Article 94. The guardianship must be submitted to the judge for confirmation of invalidation immediately following the death of the father.

Article 95. The executor has the same power as the legal guardian, in accordance with the provisions of Articles 88, 89 and 90 of this law.

Article 96. The term of the executor ceases as a result of: 1) the death of the charge, cessation of the competency of the guardian or his death; 2) the legal age of the minor, unless he be the subject of a legal interdiction; 3) expiration of the term for which he was appointed; 4) acceptance of the excuse invoked for his removal; and 5) revocation at the request of a person having a stake in the matter when it is proved that his administration endangers the interests of the minor.

Article 97. The executor whose term expires must return the property under his responsibility and present records with documents to his successor, to the minor child upon his emancipation or his heirs, within a period not to exceed two months from the date upon which the term expires.

He must also present a copy of the records to the competent jurisdiction.

In the case of the death or disappearance of the executor, it is up to his heirs to return the property of the minor child by legal means to the rightful holder.

Article 98. The executor is responsible for any harm which his negligence may cause the property of his charge.

[21 Jun 84 p 4]

#### Chapter 4. Trusteeship

Article 99. The trustee is the person appointed by the courts, in the absence of the legal guardian or executor, to handle the affairs of a person who is completely or partially incompetent, at the request of one of his parents, any person having a stake therein or the Ministry of Justice.

Article 100. The trustee has the same powers as the executor and obeys the same provisions.

#### Chapter 5. Legal Incompetency

Article 101. Any person of legal age is declared legally incompetent when insane, retarded or a squanderer or subject to one of these states.

Article 102. Legal incompetency is pronounced at the request of one of the parents, a person having a stake therein or the Ministry of Justice.



Article 103. The ruling of incompetency must be pronounced by a trial. The judge may summon experts to establish cause.

Article 104. If the person declared incompetent has no legal guardian or executor, the judge must, through the same legal ruling, appoint a trustee to be responsible for handling the affairs of the person in question, in keeping with the provisions of Article 100 of this law.

Article 105. Any person having been the subject of a petition of incompetency must be assured of having his interests defended. The court will appoint an attorney if he deems it useful.

Article 106. The ruling of incompetency may be appealed and must be made public.

Article 107. All acts of the person declared incompetent following the ruling are declared null and void. Acts previous to the ruling are also void if the causes of the ruling are obvious and notorious at the time they were performed.

Article 108. The incompetency ruling can be lifted by the court when the causes motivating it no longer exist and at the request of the person in question.

#### Chapter 6. Missing and Absent Persons

Article 109. A missing person is one whose whereabouts are unknown, a person about whom it is not known whether he is living or dead. Such a person can only be declared missing by the courts.

Article 110. Classified with the missing person is an individual who is absent and prevented by reasons beyond his control for a year from returning home or resuming the handling of his affairs by himself or through a proxy and whose absence harms another.

Article 111. The judge who pronounces the ruling of absence orders an inventory of the property of the absent person and appoints a trustee from among the relatives or other parties to handle his property and recover any inheritance shares or gifts coming to him, in accordance with the provisions of Article 99 of this law.

Article 112. The wife of the missing or absent person may file for divorce in keeping with paragraph 5 of Article 53.

Article 113. A ruling of death of the missing person in time of war or exceptional circumstances may be pronounced following a period of 4 years and an investigation. In peacetime, the judge may set the waiting period to coincide with expiration of the 4 years.

Article 114. The ruling of absence or the death of the missing person is pronounced at the request of one of the heirs, any person with a stake therein of the Ministry of Justice.

Article 115. The estate of the missing person cannot be the subject of probate or his property divided until the final pronouncement of death is made. When the individual in question reappears or gives signs of life, he recovers what remains of his property in kind or the value of that which was sold.

#### Chapter 7. Legal Guardianship (Kafalah)

Article 116. Legal guardianship (Kafalah) is the pledge to be responsible for the support, upbringing and protection of a minor child on the same basis as a father for his son. It is established by a legal act.

Article 117. Legal guardianship is granted before a judge or notary with the consent of the child when the latter has a father and mother.

Article 118. The holder of the right of guardianship (Kafalah) must be Muslim, of sound mind, honest and capable of supporting the charge (makful) and of taking care of him.

Article 119. The child may be of known or unknown consanguinity.

Article 120. The child in question must keep his original line of descendency if he is of known parents. Otherwise, Article 64 of the Civil Code is applied.

Article 121. Legal guardianship confers on the beneficiary legal tutelage and bestows the same right to family and educational privileges as those enjoyed by legitimate children.

Article 122. The person assuming legal guardianship may bequeath or bestow up to one-third of his possessions to the child in question. Beyond the one-third share, such a provision in a will is null and void without the consent of the heirs.

Article 123. The granting of legal guardianship ensures the administration of the possessions of the child in question resulting from an inheritance, legacy or gift, in the best interests of the child.

Article 124. If the father and mother or one of them requests the return of the child under guardianship to their care, it is up to the latter, if he has reached the age of reason, to decide whether to return to his parents.

He may not be returned without the authorization of the judge, based on the interest of the child in question if the latter has not reached the age of reason.

Article 125. Proceedings to give up legal guardianship must be instituted with the court granting it, following notification of the Ministry of Justice. In the case of death, the right to legal guardianship is transmitted to the heirs if they agree to accept it. Otherwise, the judge grants guardianship of the child to the competent social welfare institution.



### Book 3. Inheritances

#### Chapter 1. General Provisions

Article 126. The foundations of all inheritances are family relationships and the conjugal status.

Article 127. Probate occurs as a result of real or presumed natural death, the latter of which is duly established by the courts.

Article 128. The requirements for making a claim to an inheritance are: to be living or at least conceived at the time probate comes about; to be related to the deceased by a tie bestowing the status of heir; and not to be prohibited from inheriting.

Article 129. If two or several persons die and it is not possible to determine the order of their deaths, none of them will inherit from the other, whether or not their death occurs in the same accident.

Article 130. Marriage confers on the conjugal partners a mutual right of inheritance, even if the marriage is not consummated.

Article 131. The right to inherit ceases when the nullity of the marriage is duly established.

Article 132. When one of the spouses dies before the divorce ruling is pronounced or during the legal waiting period following the divorce, the surviving spouse has the right to inherit.

Article 133. In accordance with the provisions of Article 113 of this law, any heir not declared legally dead is considered to be living.

Article 134. A child conceived has no right to inherit unless he is liveborn and viable at the time probate is opened. Any child who cries or gives any apparent sign of life is considered liveborn.

Article 135. Excluded from inheritances are any persons who: 1) are guilty or the accomplices of the deliberate murder of the deceased; 2) are guilty of a capital accusation based on perjury bringing about the death sentence or execution of the deceased; or 3) are guilty of failing to tell the proper authorities of the murder of the deceased or premeditation.

Article 136. Exclusion from the right to inherit of an heir for one of the reasons given above does not entail that of the other heirs.

Article 137. An heir who is the author of an involuntary homicide of the deceased retains his status as an heir without thereby having any right to part of the ransom (diyah) or the damages and interests.

Article 138. Excluded from the right to inherit are persons labeled as anathema and apostates.

## Chapter 2. Categories of Heirs

Article 139. The categories of heirs are: 1) heirs who cannot be totally disinherited (fard); 2) residuary heirs ('asib); 3) uterine-related heirs or cognate relatives (dhawu-al-arham).

Article 140. Heirs who cannot be totally disinherited (fard) are those whose share of the inheritance is legally determined.

Article 141. Heirs who cannot be totally disinherited (fard) of the male sex include: the father, paternal ancestor, whatever the degree of consanguinity, the husband, half brother on the mother's side and full brother, based on the teaching of 'Umar.

Article 142. Heirs who cannot be totally disinherited of the female sex are: the daughter, the female descendant of the son, whatever the degree of consanguinity, the mother, wife, paternal and maternal ancestors, whatever the degree, full sisters, half sisters and half sisters on the mother's side.

Article 143. The shares of the estate that are legally determined are six in number: half, one-fourth, one-eighth, two-thirds, one-third and one-sixth.

### Heirs Who Cannot Be Totally Disinherited With the Right to Half

Article 144. Heirs who cannot be totally disinherited with the right to half of the inheritance are five: 1) the husband, provided that his deceased wife has no descendants; 2) the daughter, provided she is the only descendant of the deceased, to the exclusion of all other descendants of both sexes; 3) the female descendant of the son, provided she is the only heir to the exclusion of all other direct descendants of both sexes and a descendant of the son of the same degree as she; 4) the full sister, provided that she be the only one in the absence of any full brother, father, direct descendants or descendants of the son, whatever the sex, or a grandfather that would make her 'asib (the residuary heir); and 5) the half sister, provided she be the only one in the absence of half brothers or sisters and any heirs mentioned relative to the full sister.

### Heirs Who Cannot Be Totally Disinherited With the Right to One-Fourth

Article 145. Heirs who cannot be totally disinherited with the right to one-fourth of the estate are two in number: 1) the husband whose spouse leaves descendants; and 2) the wife or wives whose husband leaves no descendants.

### Heirs Who Cannot Be Totally Disinherited With the Right to One-Eighth

Article 146. One-eighth of the estate goes to the wife or wives whose husbands leave descendants.

### Heirs Who Cannot Be Totally Disinherited With the Right to Two-Thirds

Article 147. Heirs who cannot be totally disinherited with the right to two-thirds of the inheritance number four: 1) daughters when they number two or more when the deceased has no son; 2) descendants of the son of the deceased when there are no direct descendants of either sex of the deceased or descendants of the son in the same degree; 3) full sisters when they number two or more and when there is no full brother, father or direct descendant of either sex of the deceased; and 4) half sisters when they number two or more when there are no half brothers or heirs mentioned relative to the two full sisters.

### Heirs Who Cannot Be Totally Disinherited With the Right to One-Third

Article 148. Heirs who cannot be totally disinherited with the right to one-third of the inheritance number three: 1) the mother in the absence of any descendants of either sex or the deceased having the right to inherit, or of full or half brothers, even excluded; 2) the half brothers or sisters in the absence of the father of the deceased and his paternal grandfather, direct descendants of the latter and descendants of the son of either sex; 3) the grandfather on an equal footing with the full or half brothers and sisters of the deceased provided that one-third be the most favorable for him.

### Heirs Who Cannot Be Totally Disinherited With the Right to One-Sixth

Article 149. Heirs who cannot be totally disinherited with the right to one-sixth of the inheritance number seven: 1) the father, when the deceased leaves direct descendants or descendants by his son, of either sex; 2) the mother when the deceased leaves descendants with the right to inherit or several brothers and sisters, whether or not they have the right to inherit; 3) the paternal ancestor in the absence of the father when the deceased leaves direct descendants or by his son; 4) the paternal or maternal ancestor when there is one. If there is equality between two ancestors of the same degree and when the maternal ancestor is the most distant relative, then they share the sixth share the sixth equally. If the maternal ancestor is the closest to the deceased, then she receives the one-sixth share to the exclusion of the others. 5) the daughter(s) of the son, on an equal footing with a direct daughter of the deceased, in the absence of a male heir of the same relationship as she; 6) the half sister(s) on an equal footing with a full sister of the deceased, in the absence of a half brother, father or descendants of either sex of the deceased; and 7) the half brother or sister on the mother's side in the absence of any ancestor or descendant of the deceased with the right to inherit.

### Chapter 3. Residuary Heirs ['Asabah]

Article 150. The residuary heir ('asib) is an heir who has the right to the entire inheritance when there is no other heir or to that which is left after deduction of the shares of the heirs who cannot be legally disinherited (fard). He receives nothing if, when the inheritance is divided up, it goes entirely to the heirs who cannot be legally disinherited.

Article 151. Residuary heirs ('asib) include: 1) the residuary heir ('asib) himself; 2) the residuary heir ('asib) by another; and 3) the residuary heir ('asib) along with another.

#### Residuary Heir by Himself

Article 152. The 'asib by himself is any male relative of the deceased whatever the degree and the offspring of male relatives.

Article 153. Residuary heirs by themselves are divided into four classifications in the following order: 1) descendants: the son and male descendants of any degree; 2) ancestors: the father and his male ancestors, whatever the degree, subject to the situation of the ancestor; 3) brothers: full and half brothers and their male descendants, whatever the degree; and 4) uncles: paternal uncles of the deceased, paternal uncles of his father, paternal uncles of his grandfather and their male descendants, whatever the degree.

Article 154. If there is a plurality of 'asib heirs of the same classification, the closest relative of the deceased inherits. When they are of the same classification or degree, the heir most closely related by virtue of the father or mother to the deceased inherits.

When there is equality of classification, degree and family relationship, the inheritance is equally divided.

#### 'Asib Heir by Another

Article 155. The 'asib heir by another means any person of the female sex made 'asib by the presence of a male relative. 'Asib heirs include: 1) the daughter with her brother; 2) the daughter of the son of the deceased with her brother, her paternal cousin in the same degree or the latter's son at a lower degree provided she is not an heir who cannot be disinherited (fard); 3) the full sister with her full brother; 4) the half sister with her half brother.

In all cases, the inheritance is divided so that the heir receives a share double that of the female heir.

#### 'Asib Heir With Another

Article 156. 'Asib heirs with another are full or half sister(s) of the deceased when they come into the inheritance with one or several direct daughters or daughters of the son of the deceased, on the condition they have no brother who is of the same degree or grandfather.

Article 157. The half sister cannot be an 'asib heir unless there is no full sister.

#### Chapter 4. Inheritance Rights of Grandfather

Article 158. If the 'asib grandfather comes into the inheritance on an equal footing with the full brothers and sisters of the deceased, his half brothers and sisters or his full and half brothers and sisters, he may choose to take the legal portion of the one-third of the inheritance or share in the inheritance on an equal footing with other heirs.

When he is on an equal footing with brothers or sisters of the deceased and heirs that cannot be disinherited, he has a choice between taking the legal portion of the: 1) one-sixth of the total inheritance; 2) the one-third remaining after deduction of the shares going to the heirs who cannot be disinherited; or 3) sharing with the brothers and sisters of the deceased.

#### Chapter 5. Exclusion From Inheritance (Hajb)

Article 159. Exclusion from inheritances is complete or partial exclusion of the heir from the right to inherit. It is of two kinds: 1) exclusion by reduction or 2) total exclusion from the inheritance.

##### Exclusion by Reduction

Article 160. Heirs benefiting from a double legal share are five: the husband, the widow, the mother, the daughter of the son and the half sister.

- 1) The husband receives half of the inheritance in the absence of descendants and one-fourth if there are descendants.
- 2) The widow(s) must receive one-fourth in the absence of descendants of the deceased and one-eighth if there are descendants.
- 3) The mother receives one-third of the inheritance if there are no descendants of the deceased or any brother or sister and one-sixth otherwise.
- 4) The daughter of the son receives half of the inheritance if she is the only child and one-sixth if she is on an equal footing with a single daughter in a direct line. If there is a plurality, the daughters of the son receive one-sixth instead of two-thirds. The rule applicable to the daughter of the son on an equal footing with a daughter in direct line is the same for the daughter of the son on an equal footing with the daughter of a son more closely related to the deceased.
- 5) The half sister receives half of the inheritance if she is the only child, one-sixth if she is on an equal footing with the full sister. In the case of a plurality of half sisters on an equal footing with a single full sister, those sisters share the sixth.

##### Total Exclusion From the Inheritance

Article 161. Regarding inheritance rights, the mother prevails over all paternal and maternal ancestors. The maternal grandmother of the closest



degree prevails over the paternal grandmother more distantly related. The father and paternal grandfather have priority over their ancestors.

Article 162. The father, paternal grandfather, whatever the degree of consanguinity, the son and the grandson, whatever the degree of consanguinity, have priority over the sons of the brother.

Article 163. The son and the son of the son, whatever the degree of consanguinity, have priority over the daughter of the son farther removed. The latter loses her right to inherit when there are two daughters in direct line or two daughters of a son more closely related to the deceased, unless the latter be 'asib by another.

Article 164. The father, son and son of the son, whatever the degree of consanguinity, have priority over the full sister.

The father, son and son of the son, whatever the degree of consanguinity, the full brother, full sister if she is 'asib with another, and two full sisters, in the absence of a half brother, have priority over the half sister.

Article 165. The half brother has priority over the sons of the full or half brothers.

The sons of the full brothers have priority over the descendants of the half brothers.

The sons of the full or half brothers have priority over uncles and their descendants.

Chapter 6. Proportionate Reduction of Inheritance Shares ('awl), Increase by Restitution (radd) and Distribution of Legal Shares to Cognate Heirs ('dhawu-al-Arham)

#### Proportionate Reduction of Inheritance Shares

Article 166. The proportionate reduction of inheritance shares consists in the increase in one or several units of the denominator of the fractions equivalent to the shares of the heirs who cannot be disinherited.

If the division results in part of the inheritance being left over, that portion is divided among the heirs who cannot be legally disinherited, prorated based on their inheritance shares.

#### Accretion by Restitution to Heirs Who Cannot Be Legally Disinherited

Article 167. If the division among heirs who cannot be legally disinherited leaves part of the inheritance left over and in the absence of any residuary heir ('asab), that portion is divided among heirs who cannot be legally disinherited and prorated based on their inheritance share to the exclusion of co-legatees.

That remaining portion goes to the surviving spouse in the absence of any residuary heir ('asib) or heir who cannot be legally disinherited or of a cognate relative (dhu-al-arha).

#### Distribution of Legal Shares to Cognate Heirs

Article 168. Cognate heirs of the first category come into the inheritance in the following order: the children of the daughters of the deceased and the children of the daughters of the son, whatever the degree of consanguinity.

The heir most closely related to the deceased has priority over the others. If they are on an equal footing, the child of the heir that cannot be legally disinherited prevails over cognate children. If they are related in the same degree, in the absence of a child of an heir that cannot be legally disinherited and when they are all the descendants of an heir who cannot be legally disinherited, then the inheritance is divided up equally between cognate relatives.

#### Chapter 7. Inheritance by Substitution

Article 169. If a person dies, leaving descendants of a son previously deceased, then those descendants must take the place of their father in receiving the inheritance of the deceased, based on the following conditions.

Article 170. The share going to the grandsons and granddaughters of the deceased is equal to that which would have gone to their father if he had lived, though it must not exceed one-third of the inheritance.

Article 171. The grandsons and granddaughters cannot come into the inheritance of the deceased if they are the heirs of their ancestor, whether it be the grandfather or grandmother and whether or not the latter left a legacy to them or made a gift to them while alive having a value equal to that coming to them in the inheritance. If a legacy of lesser value is left to all or one of the grandsons or granddaughters, they must then inherit in the place of their father in a proportion completing that part of the inheritance due them or due to one of them.

Article 172. The grandsons and granddaughters cannot inherit from the deceased in place of their father if they have already inherited from their father or mother a share of the inheritance equal to that coming to their father from his father or mother.

In the division, the male heir receives a share of the inheritance double that going to the female heir.

#### Chapter 8. Child Conceived

Article 173. A share must be subtracted to the inheritance for an unborn child greater than that due a single son or daughter if the latter has a right to inherit along with the heirs or has priority over them in an exclusion by



reduction. When the unborn child has priority over female heirs by total exclusion from the inheritance, the entire inheritance must be set aside and not divided until the child is born.

Article 174. In case of dispute over pregnancy, experts are to be called in, without prejudice to the provisions of Article 43 of this law.

## Chapter 9. Special Matters

### Case of al-Akdariah and al-Ghora

Article 175. There is no obligatory share for the sister in the presence of the grandfather, except in the case of akdariyah, which brings into the inheritance the husband, mother, full or half sister and the grandfather.

The shares of the grandfather and sister are combined and divided between them, with two shares going to the heir and one share to the heiress, the base figure being six fractional units. The latter is then changed to nine so that out of a total of 27 fractional units, nine go to the husband, six to the mother, four to the sister and eight to the grandfather.

### Case of al-Mughtarakah

Article 176. The case of al-Mughtarakah, meaning that the share of the brother is equal to that of the sister, brings into the inheritance the husband, mother or grandmother, brothers and sisters on the mother's side and full brothers and sisters.

Brothers and sisters on the mother's side are joined with full brothers and sisters in dividing the third or the inheritance. The brother receives the same portion as the sister and the division is made per person, with all heirs being descended from the same mother.

### Case of al-Minbariyah

Article 177. In the presence of the wife and the father and mother of the deceased, the wife receives one-fourth of the inheritance, the mother one-third of the remainder -- that is, one-fourth the inheritance -- and the father the rest.

In the presence of the husband and father and mother of the deceased, the husband receives half of the inheritance, the mother one-third of the remainder, meaning one-sixth of the inheritance, and the father the rest.

### Case of al-Mubalah

Article 178. In the presence of the husband, mother and a full or half sister, the husband receives half of the inheritance, the sister one half and the mother one-third. Inasmuch as the base figure is six fractional units, the latter is proportionately reduced to eight, which assures the husband of three-eighths, the sister three-eighths and the mother two thirds.

## Case of al-Minbariyah

Article 179. In the presence of the wife, two daughters and the father and mother of the deceased, their required share is 24 fractional units. This base is proportionately reduced to 27, which assures the two daughters of two-thirds of the estate, or 16/27, the father and mother one-third, or 8/27, and the wife one-eighth, or 3/27, equivalent to one-ninth of the entire estate.

## Chapter 10. Liquidation of Estates

Article 180. Subtracted from the estate are: 1) funeral and burial expenses within accepted limits; 2) payment of duly established debts of the deceased; and 3) property that is the subject of a valid legacy.

In the absence of residuary heirs or heirs who cannot be legally disinherited, the estate goes to cognate heirs (dhawu-al-arham). In the absence of the latter, the estate goes to the public treasury.

Article 181. In the case of liquidation of an estate, Articles 109 and 173 of this law and the provisions of the Civil Code on undivided property are to be applied.

In the case of the presence of a minor among the heirs, the estate may only be divided by the courts.

Article 182. If the minor heir has no legal guardian or executor, any person having an interest therein or the Ministry of Justice have the power to ask the court to liquidate the estate and appoint a trustee.

It is up to the presiding magistrate to decide on the appending of seals, the depositing of currency and objects of value and rule on the petition.

Article 183. The summary procedure is to be used in the liquidation of estates, particularly for terms and proceedings for the final ruling on the substance and examination of appeals.

[23 Jun 84 p 4]

[Text] Book 4. Clauses

Legacies, Gifts (Waqf)

## Chapter 1. The Will

Article 184. The will is the document by virtue of which a person transfers a possession freely after his death.

Article 185. Clauses cannot exceed the limit of one-third of the estate.

Anything over a one-third share of the estate can only be bequeathed with the consent of the heirs.

## Testator, Legatee

Article 186. The testator must be of sound mind and at least 19 years of age.

Article 187. A will made in behalf of an infant conceived is valid but has no effect unless the child is liveborn and viable. If twins are born, the legacy is divided equally, whatever the sex.

Article 188. A legatee guilty of the deliberate murder of the testator is deprived of the legacy.

Article 189. A will made in behalf of an heir has no effect unless co-heirs consent to it after the death of the testator.

## Possessions That May Be Bequeathed

Article 190. The testator may bequeath any possession he owns or is called upon to possess before his death as the owner or full user.

## Authentication of Will

Article 191. The will is made valid by: 1) a statement by the testator before a notary, who establishes its authenticity; or 2) a ruling countersigned in addition to the original document of ownership in the case of force majeure.

## Effects of the Will

Article 192. The will is expressly or tacitly revocable.

The express revocation of the will results from a declaration made following the same procedures as for its authentication.

Revocation of the will results from any procedure making it possible to deduce the intention of revoking it.

Article 193. Pawning of the object bequeathed does not entail revocation of the will.

Article 194. When the will is made in behalf of one person and then a second person, the legacy becomes the joint property of the two legatees.

Article 195. When the will is made in behalf of two specific persons and the testator does not specify what share goes to each, and when one of these persons dies at the time of probate or after and before the death of the testator, the legacy then goes to the surviving legatee in its entirety.

In the opposite case, the surviving legatee receives only the share assigned to him by the testator.

Article 196. A legacy entailing full right of use for an indeterminate length of time is considered for life and ceases following the death of the legatee.

Article 197. Express or tacit acceptance of the legacy comes upon the death of the legatee.

Article 198. Heirs of the legatee who dies before making a pronouncement on the legacy in his behalf act in place of him and file the right of acceptance or renunciation.

Article 199. If the legacy is accompanied by a condition, then the legatee will have the right to the legacy when he has fulfilled the condition set. If the condition is illegal, then the legacy is valid and the condition has no legal effect.

Article 200. The will is valid among persons of different religions.

Article 201. The will expires when the legatee dies before the testator or when the legatee gives up the legacy.

## Chapter 2. Gifts

Article 202. A gift is the transfer to another of a possession made freely.

The donor may require that the recipient fulfill a condition making the gift final.

Article 203. The donor must be of sound mind, at least 19 years of age and not banned.

Article 204. A gift made by a person during the illness causing his death or who is stricken by a serious illness or in a dangerous situation is a legacy.

Article 205. A gift may involve all or part of the possessions of the donor.

A specific possession or use of a debt due from a third person may be made over to someone in a will.

Article 206. The act of leaving a possession involves the offer and acceptance and is completed with the taking of possession and observation of the provisions of the order relating to the body of notaries regarding real proper property and special provisions regarding personal estate.

If one of these conditions is not met, the bequest is null and has no effect.

Article 207. If the object bequeathed is in the hands of the recipient before the bequest, then possession is considered complete. If the object is in the hands of another, then the recipient must be informed of the bequest so that he may take possession.

Article 208. When the donor is the guardian of the donee or the donee's spouse, or if the object of the bequest is indivisible, then the drawing up of the notarized document and the completion of related administrative formalities are equivalent to possession.

Article 209. The gift made to an infant conceived is valid only if that child is liveborn and viable.

Article 210. The donee takes possession of the object bequeathed by himself or through a proxy.

If the donee is a minor or banned, possession is effected by a legal representative.

Article 211. The father and mother have the right to revoke a gift to their child whatever the age, except in the following cases: 1) if it is made for the marriage of the donee; 2) if it was made to the donee to enable that person to guarantee a loan or pay a debt; 3) if the donee has disposed of the object by sale or a gift or if the object has perished or if changes have been made in it modifying its nature.

Article 212. The gift made for the purpose of the public good is irrevocable.

### Chapter 3. Property in Mortmain (Waqf)

Article 213. The constitution of a property in mortmain (Waqf) is the freezing of the ownership of a possession for the benefit of any person for all times and its donation.

Article 214. The grantor of a property in mortmain (Waqf) may reserve its use for his lifetime before its final transmission to the beneficiary.

Article 215. The grantor of a property in mortmain (Waqf) and the recipient obey the same rules as those applicable to the donor and donee in keeping with Articles 204 and 205 of this law.

Article 216. In order to set up a property in mortmain (Waqf), the possession must be the property of the grantor, specific and uncontested even if indivisible.

Article 217. Authentication of the granting of a property in mortmain (Waqf) takes places according to the same procedures as those required in Article 191 of this law concerning wills.

Article 218. Stipulations made by the grantor of a property in mortmain are enforceable, with the exception of those incompatible with the legal nature of the Waqf.

The latter are considered to be null and void and the Waqf continues to exist.

Article 219. Constructions or plantations set up by the user on property placed in mortmain (Waqf) are included in the granting of that property.

Article 220. The property placed in mortmain (Waqf) continues to exist even if changes are made modifying its nature.

However, if the modification procudes revenue, then the latter is used in the same way as the initial property.

#### Chapter 4. Final Provisions

Article 221. Without prejudice to the provisions of the Civil Code, this law applies to all Algerian citizens and other residents of Algeria.

Article 222. In the absence of a provision in this law, reference is made to the provisions of the Shari'ah.

Article 223. All provisions contrary to this law are abrogated.

Article 224. This law will be published in the JOURNAL OFFICIEL DE LA REPUBLIQUE ALGERIENNE DEMOCRATIQUE ET POPULAIRE.

Algiers,  
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SHAYKH ABU ISMA'IL COMMENTS ON DISPUTE WITH NEW WAFD

Kuwait AL-MUJTAMA' in Arabic No 675, 12 Jun 84 pp 18-19

[Article: 'Al-Shaykh Salah Abu Isma'il: 'Why I Suspended My Membership in the Wafd Party'?" ]

[Text] My Experience with the Principle

All my life I have been calling for the universal Islamic principle from pulpits, in lectures, at universities and everywhere in the world. I came to believe that this appeal I was making from the pulpit and in the course of lectures could change the ideas that those who hear my appeal have, but it would not change the laws of societies at all. Therefore, I have called for the entry of the advocates of Islam into the legislative authority, which is the body that enacts laws for the judicial authority which then rules in accordance with these laws, causing the executive authority to act accordingly. I've gone through that experience twice myself, and this is the third time I go through it. Thank God, God has supported me with the victory He has granted me despite all the means of falsification and forgery that have been used. Therefore I consider my victory, granted by the grace of God, to be a victory indeed, whereas the victory of others who fawn and dissemble is nothing but a victory forged by tyrannical forces.

The Recent Parliamentary Elections

There is a difference between the 1984 elections and the elections that preceded them. Before 1984 elections were held on an individual basis. A person could run for office as an independent candidate. However, new laws have been introduced that prevent an independent candidate from running for office. These laws prevent the establishment of a party on an ideological basis. I almost gave up that kind of activity as a result of the restrictions that have been placed on it. But I thought about it, and I found that the only choice I had was to join a party so I can continue my mission. However, the restrictions that have been placed on Islam can even be found within parties. There is a law, [for example], that forbids the establishment of any party unless that party recognizes the normalization of relations with Israel. But as God would have it, the new Wafd Party somehow escaped from that condition. You may be surprised to learn that there is a law in Egypt which provides that no one, not even a clergyman, can make a statement, even if he were giving advice, that contradicts an administrative decree or a law. This means that I may not object to alcoholic beverages--not even inside mosques--because the consumption of alcoholic beverages is legal. It also means



that I may not object to usury because it is legal. Anyone who objects to practices that are legal has to pay a fine of 500 pounds. If he refuses to pay the fine, the fine is doubled and he is imprisoned.

### Joining the New Wafd Party

Thus, I am not able to serve my religion from the pulpits and from mosques. Therefore, I had to join one of the parties so as to have legal access to a right that was restricted and curbed. The only party that was available to me was the Wafd Party. I called upon my colleagues in the Muslim Brotherhood to look into this matter, and I proceeded to persuade them and to speak frankly with them about this matter. I found them intractable, but then they became convinced. The Wafd Party then became a legal avenue for them; they became a popular force for it; and the benefit was mutual. Ten members of the Muslim Brothers have now won in the election and have gained seats in the People's Assembly. The late Imam Hasan al-Banna, may God be pleased with him and please him, had hoped for something like this, but he was not able to see it happen in his life time. However, this does not mean that we have achieved everything we have been hoping for. The road is undoubtedly full of obstacles and thorns.

### Suspending Membership in the Wafd Party

You may have read that I suspended my membership in the Wafd Party. I did that because last February I was the only spokesman [for the party] in the People's Assembly. Ever since the courts ruled that the party could resume its activities and the chairman of the party, Mr Fu'ad Siraj-al-Din called me from Germany to ask me to be the spokesman for the party, I have served in that capacity and I've headed the Wafd caucus in parliament. Then the Wafd Party wrote a letter to that effect and sent it to the speaker of the People's Assembly. With the grace of God Almighty, I was able through my relations to recruit eight senior members of the People's Assembly into the Wafd Party. The late 'Abd-al-Mun'im 'Uthman from the National Party joined the Wafd. Mr Salim Shanab from the Labor Party joined the Wafd. The only representative of the Liberal Party, Mrs Ulfat Kamil, joined the Wafd. And all the independents, like Mr Mumtaz Nassar, Dr Ibrahim 'Awarah, Mr Hasan al-Jamal and Mr Fikri al-Jazzar joined the Wafd. We almost ended up with the leaders of the opposition [on our side], had it not been for the fact that the sessions of the assembly came to an end and parliament was adjourned.

Then on Tuesday, the 5th of Ramadan [5 June 1984] I was stunned by the meeting of the Supreme Board of the Wafd Party--and I am a member of that board. One of the matters that was brought up to the board was that of selecting Mr Mumtaz Nassar the official spokesman for the party, chairman of the parliamentary caucus and leader of the opposition. The fact of the matter is that I am not at all concerned about being in this or that position. Mr Mumtaz Nassar is a great man indeed. His name says a lot about him. He is a vigilant man; he is eloquent; and he is an excellent parliamentarian. However, what really made me angry was the party's change of heart about me at a time when I was being targeted by proponents of secularism and by non-Muslims.

You may have read and heard that the mere fact that I joined the party set off an intellectual shift in the course of this party, which was being accused of being a secular party that makes a distinction between religion and the state. I had

continued to press Fu'ad Siraj-al-Din, the chairman of the party, telling him that the past glory of the party lay in the fact that it championed the constitution. I told Siraj-al-Din, "Now that the constitution in Egypt has been amended, and Article Two of the Constitution stipulates that Islamic law is the principal source of legislation, your defense of Article Two of the Constitution would make the party more popular than it is now." I asked him to let the Wafd issue a statement declaring itself the enemy of secularism, which calls for the separation of religion and the state. This is because secularism is incompatible with the constitution, and the Wafd throughout its long history has been the champion of the constitution. I asked him to add in the statement that national unity between Muslims and Copts was and still is something that the Wafd believes in. I indicated that the Copts would not be hurt by the application of Islamic law, and I provided examples of that from the attitude of the prophet, may God bless him and grant him salvation, toward the Jews of Madinah. There was also the attitude of 'Amr toward the Christians of Syria and the attitude of 'Amr ibn al-'Ass toward the Christians of Egypt. "Allah does not forbid you to be kind and equitable to those who have neither made war on your religion nor driven you from your homes. Allah loves the equitable. But He forbids you to make friends with those who have fought against you on account of your religion and driven you from your homes or abetted others so to do. Those that make friends with them are wrongdoers" [al-Mumtahanah: 8-9]. I stayed with Fu'ad Siraj-al-Din for many hours until he became convinced and issued a statement on 11 March 1984 announcing that the Wafd was declaring itself the enemy of secularism. The statement declared that the Wafd was embracing the constitution, particularly Article Two which called for the application of Islamic Law. The statement declared that the Wafd was embracing the principle of national unity.

#### The Secularists Rebel

The secularists have been furious ever since that declaration was made. Louis 'Awad, Muhammad Anis, Faraj Fudah, Makram Muhammad Ahmad, Yunan Labib and Musa Sabri wrote articles stating that the Wafd was turning its back on its history. Secularists who were members of the party announced that they were leaving the party, claiming that in the past the Wafd used to say that the nation was the source of power, but that it was now saying that Islam and God were the source of power. The secularists claimed that that constituted a turning away from a glorious past and a respectable history. Those people thus left the Wafd because the party was calling for the application of Islamic law.

Many writers wrote to say that al-Shaykh Salah Abu Isma'il with his declared opinions would very soon become a liability for the Wafd. There were many people who said that they could not imagine that this coalition and this alliance between the Wafd and the Muslim Brothers would last for long. And there were many who said that this alliance was anachronistic. I tried to respond to all those statements in articles I sent to the so-called national newspapers. But they were not published. So I took those articles to the Wafd's newspaper, but they were not published there either!

I told those people that those who object to the alliance between the Wafd and the Muslim Brothers on grounds that it is anachronistic have to remember that the fraternity which the messenger of God, may God bless him and grant him salvation, forged between al-Aws and al-Khazraj ran counter to their pre-Islamic history and that the conquest of Mecca under Islam was counter to the history of Mecca before

its conquest. I told them that history never objects and that yesterday's positions do not determine today's issues. [I reminded them that] it was Mustafa al-Nahhas himself who concluded the 1936 treaty under certain conditions and that he was the one who abrogated it under other conditions. It was here that I sensed that something would develop after the election campaign. What happened was that I was replaced by the Wafd, and Mr Mumtaz Nassar was appointed in my place.

I believe that the change of heart that the Wafd had about me was not directed to me personally. As persons we are worth nothing for the sake of our principles. The fact that I was replaced constituted a change in a direction that I symbolized. This is what offended me. The fact that I was replaced was not simply a matter of turning from someone with limited parliamentary abilities and turning to someone with superior parliamentary abilities. Let me tell you in all modesty that the hearings I held in parliament and the bills I drafted as well as my parliamentary positions would not support such a notion. In general, I found that they did not make it possible for me to respond, and they too did not respond to the secularists and to non-Muslims. They found some comfort in turning away from me at a time when doing without me was easier than it would have been prior to the elections campaign. It was then that I decided to suspend my membership in the Wafd Party, but I did not submit my resignation so I could keep my seat in the assembly. To stay in the assembly I have to be a member of a party. Suspending one's activities in a party is tantamount to a resignation, but it is not resignation. What is required is that I not leave the party once and for all so that I can keep the basis upon which I gained my seat in the People's Assembly.

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SHAYKH SALAH ABU ISMA'IL INTERVIEWED

Kuwait AL-MUJTAMA' in Arabic No 676, 19 Jun 84 pp 20-24

[Interview with al-Shaykh Salah Abu Isma'il: "We Will Not Take Part in Government, but We Will Try To Mobilize Public Opinion"; date, place not specified]

[Text] Because society wishes to have the spotlight focused on Egypt's recent elections and on the leftist tendencies that emerged in the aftermath of these elections, we conducted this interview with His Eminence al-Shaykh Salah Abu Isma'il in his capacity as a member of both the old and the new People's Assembly.

[Question] Are you a Muslim Brother?

[Answer] Yes, I am one of the Muslim Brothers looking for a situation in which we can draft laws and monitor the implementation of laws under the protection provided by the constitution. I've reached that position ahead of my colleagues since 1976, and I've continued trying to persuade them to pursue that course until they became convinced in 1984.

[Question] Your Eminence, were you in fact in the Socialist Union?

[Answer] To have a seat in parliament at the present time, one has to be a member of a party. In the past one had to have a membership card in the Socialist Union. We filled out that form so we could get into parliament. That's all! It was something we did under duress. God Almighty allowed for that: "Those who are forced to recant while their hearts remain loyal to the faith shall be absolved" [al-Nahl: 106].

The Muslim Brothers and Political Parties

[Question] Until recently, you as Muslim Brothers were opposed to the establishment of political parties. Have you abandoned that opposition now?

[Answer] If we believe in opposing the establishment of political parties, there is no doubt that the alternative to that would be consultation. I take Islam as an integrated whole. But if Islam is absent, how can it be said that Islam does not approve of the establishment of parties? Who can stop the National Party or any other party, for example, if it were to become tyrannical and corrupt and there were neither a Wafd Party nor an Islamic party? Competition in rendering

service would be done in accordance with what the Almighty said: "... for this let all men emulously strive" [al-Mutaffifin: 26]. The messenger, may God bless him and grant him salvation, used to heed what others had to say as well as what they thought regarding matters about which there were no provisions.

[Question] That is as far as thought is concerned. In practice, however, we notice that the Muslim Brothers' opposition to political parties was expressed, for example, by Mr 'Umar al-Talmasani several times in newspapers and magazines.

[Answer] Let me respond to this by saying that yesterday's positions do not determine today's issues. It was Mustafa al-Nahhas, for example, who concluded the 1936 treaty, and he was the one who abrogated it. The fact that God Almighty said, "Do not revile the idols which they invoke besides Allah ..." [al-An'am: 108] did not prevent the prophet, may God bless him and grant him salvation, from destroying the idols on the great day of victory. This is because these opinions are not revealed by the Wise God. Our reference to them is an indication of man's limited ability and knowledge. And man will continue to be limited in his abilities and in his knowledge. He will continue to change his positions and his views in matters for which there are no provisions. Yesterday's positions do not constitute arguments for today's issues.

[Question] Who among the Muslim Brothers agreed to this? Did you agree on a future political plan to implement during your term in the People's Assembly?

[Answer] Mr 'Umar al-Talmasani, those who ran in the campaign and leaders of the Muslim Brothers approved of this. But as far as a future political plan is concerned, this is a matter that has been left so it can be faced with each situation. It seems to me that I will have to meet with my colleagues because I have had this experience before them. I've been involved in this since 1976. In other words, I've had this experience for 8 years, and these 8 years have been full of attacks, retreats, clashes, controversy, harmony and other such matters. I will meet with them: they will hear me out, and I will hear them out. Undoubtedly, we will coordinate our positions with them, God willing.

[Question] Can the Muslim Brothers ally themselves with a party like the Grouping Party, for example?

[Answer] The difference between us and the Grouping Party is an ideological difference. For this reason an alliance with that party is not possible. By the way, I remember that Mr Khalid Muhyi-al-Din, the chairman of the Grouping Party, had given me his book, which is entitled, "Al-Din wa al-Ishtirakiyah" [Religion and Socialism]. The book preached socialism by attributing the backwardness and tragedies that befell Muslims to Islam itself, and I pointed out to Mr Muhyi-al-Din the error of his inference. How then can we be allied with such thinking?

#### Muslim Brothers Who Won Seats in the Assembly

[Question] Will the 10 Muslim Brothers who won seats in the Assembly speak for the Wafd or for the Muslim Brothers?

[Answer] The Wafd Party benefited from the Muslim Brothers as a force with clout among the people, and the Muslim Brothers benefited from the Wafd as a legal



avenue through which they gained seats in the People's Assembly. However, the Muslim Brothers will have nothing to do with the secularism of the Wafd, and I hope that the Wafd will come to accept everything the Muslim Brothers believe in. If the Wafd Party insists on its secular character, the Muslim Brothers will insist on their beliefs. This interim alliance reminds me of what the messenger, may God bless him and grant him salvation, said, "Who will protect me until I deliver the messages of my God?" The alliance was made in that vein. We are looking for a way through which we can advocate the cause of God under the dome of parliament or in a legislative body.

[Question] Do you believe that the 10 Muslim brothers who won in the elections can carry out the task of making the laws that are on the books Islamic laws? Or will it be possible to recruit for that task other members of the assembly who are members of the ruling party or of the Wafd Party?

[Answer] I would like to say in general that if the 58 members were Muslim Brothers, the most they can do is to speak from an Islamic standpoint on issues that are pending. A minority cannot enact a single law, nor can it approve a single article in a law even if everyone in that minority agreed to it. When hearings are held to question ministers, these are tantamount to accusations that rely on damaging evidence. And after the questioning is over, 20 members of the assembly can make a motion that the debate be closed and that members move to another [item on the] agenda so as to foil the hearing as though it had not taken place. They may even move to thank the government! When we hold a hearing, we do so not because we are after something, but rather because we are recording these hearings for history so we can mobilize public opinion outside the assembly and make the public climate in Egypt observe those representatives. We do so to undermine their positions. In previous sessions of the assembly I had requested that hearings be held to question some ministers, and a minister was removed from his position before the hearing. I was in the United States in 1977, for example, to inaugurate an Islamic center in Los Angeles. I was given a newspaper called AL-MISRI [The Egyptian] which is edited by Fu'ad al-Qassas, an Egyptian Copt who works in Los Angeles. 'Abd-al-Mun'im al-Sawi, who was the minister of information, was somehow dragged into Christian discussions in which Copts expressed their fears of the application of Islamic law in Egypt. He told them, "Islamic law will not be put into effect in Egypt." This statement was made in the course of a long interview, but the broad headline in the newspaper was this: "Islamic Law Will not Be Applied in Egypt." I took the newspapers and the recordings from those people who had given them to me and went to the assembly where I distributed 400 copies to assembly members and asked that a hearing be held to question the minister. The government removed that minister from office before he was questioned because there can be no hearings if the official who is to be questioned dies or if he is removed from his position of power or if the assembly member withdraws his request for a hearing.

I requested another hearing for the late Ahmad Samih Tal'at, but he was removed from the cabinet before he was summoned to the hearing. There have been rapid and sudden cabinet shuffles in cases where such summons for hearings were issued.

Because the number of the opposition is small, it cannot pass a law, but it can summon officials to a hearing. That depends not on numbers but on the strength of the evidence and arguments it presents. One who has such evidence and arguments has a great deal of power.

## A Special Program

[Question] What are your ideas on the role you might play in the next assembly?

[Answer] We're through with the stage of ideas and views. We've put our ideas and our views into five areas: in criminal law, civil law, economic law, social law and laws regulating legal procedures. We've completed the process of codifying our ideas in these five areas; we've reviewed the laws, printed them and distributed them. The struggle now between me and them is over the vote on these laws. I would like to mention some of the regrettable obstacles that have arisen along this road.

Dr Sufi Abu Talib, like any other man in life, has done good deeds and bad. One of the good deeds he is to be remembered for is his cooperation during the process of codifying Islamic law. Towards the end of his term, however, and this may be due to matters beyond his control, he was not able to push these matters for consideration by the assembly. But he may have been ousted from the political arena and not mentioned on their lists so he could take his ideas, his positions and his principles far away from the political arena. One day I contacted Dr Kamil Laylah, who was then a member of the People's Assembly, chairman of the Education Committee and president of 'Ayn Shams University. Before that Dr Kamil Laylah had served as minister of higher education. I took him along with a group of representatives and scientists and we went to see Dr Sufi Abu Talib. We asked Dr Sufi Abu Talib to present these bills to the assembly so the assembly could act on them and pass them. After that Dr Sufi Abu Talib left, or he was made to leave, and he was succeeded by Dr Kamil Laylah. So I went to him and I told him, "Dr Kamil, today I come to you alone. I have come to you now to make the same request that you had made to Dr Sufi Abu Talib. I went to place appeals in the representatives' boxes, and the employees told me, 'You know how fond we are of you and how dear you are to us, but we are employees. Get us an order from the secretary general.' So I went to the secretary general, and he told me to get him an order from the speaker of the assembly, and so I came to you." Dr Kamil Laylah frowned, turned pale and trembled. He said, "I would never allow this!" He kept repeating himself, and I left him repeating hysterically that he would never allow for this! It seems that there are matters beyond his control: matters that are too big for him to handle. This is the subject of the struggle between us and them. The time for ideas is gone; we're through with that. We are through with ideas and views, and we are involved with laws and getting them passed.

## A Gentleman's Agreement

[Question] It is being said that there is a gentleman's agreement between the Wafd and the Muslim Brothers on the one hand and between them and the government on the other hand. According to this agreement both the Wafd and the government would constitute an opposition that is acceptable to the regime.

[Answer] This is the first time I hear such strange talk. Such opposition would be beneath our dignity; it would be beneath our dignity to become puppets in the hands of the state we oppose. I do not believe that such talk is on our level. We are far above that. I am the one who stood up to al-Sadat in a manner that the world took notice of.

[Question] It's been said that members of the Muslim Brothers and of the Wafd will be included in Egypt's cabinet. How true is that?

[Answer] I don't think that will happen at all. I think it is quite unlikely.

[Question] If the Muslim Brothers were offered cabinet positions, what would be their posture?

[Answer] That is quite impossible. A minister is different from a representative. As soon as a man is appointed minister, his mission as a representative is suspended, and he changes his role from that of a representative whose mission is to enact laws and oversee implementation to that of a minister who executes and defends the policies of the state. And the state is in serious trouble. In other words, I personally would not like to say that I was approached about the Ministry of Religious Trusts in 1977, and I turned down the offer. I am saying that if I were approached about that position today, I would turn it down too. You may put this in a headline: I will under no circumstances accept the position of Egypt's minister of religious trusts.

[Question] What about the position of minister of foreign affairs?

[Answer] When I become a minister, I become jointly responsible for the normalization of relations with "Israel," with the people most hostile to believers. God said, "Believers, do not make friends with those who are enemies of Mine and yours" [al-Mumtahanah: 1]. How can I reconcile my religion with a position for which I would sacrifice my religion? How can I do that? Such glitter would attract worldly minded people. But I am not a worldly minded man; I am a man of principles.

#### Falsifying the Elections

[Question] Fu'ad Siraj-al-Din stated that if the elections had been honest the Wafd Party would have won 70 percent of the vote. Do the votes that were cast by the other parties reflect how popular these parties really are?

[Answer] I believe that the results of the elections have been affected by so-called arm-twisting methods. The radio, the press, television, detectives, governors, security officers, intelligence officers and local officers all played a part in favor of the National Party. Furthermore, the law was custom-tailored to show the National Party in the best light. The small number of votes that were cast for opposition parties and the ratios that were lower than eight percent add up to about 92 representatives. That would be, for example, 40 seats for the Labor Party, 20 seats for the Grouping and Liberal parties and 31 seats for women. These seats went to the majority party. Then there are the 10 representatives who are appointed by the president in accordance with the constitution. Thus there are 101 representatives who reverted to the National Party as a result of the elections. I am personally affirming that my list could have won a unanimous victory if there had been freedom. There is Ahmad Nasir, for example, who comes from a town called Nahiyah in the district of Imbabah, Jizah. He was not allowed to go into his town. He was prevented from entering the town by machine guns, and the votes that were cast for him were influenced by the fact that he voted for the National party when he was a candidate for the opposition.

## The Decision To Suspend Membership

[Question] Don't you think that your recent decision to suspend your membership in the Wafd Party is regarded as the beginning of a split from the Wafd Party?

[Answer] So be it. Next time we may form an alliance with another opposition party, or we may be able to vote down the conditions that God never revealed to man. We would then have our own party, and it would be based on religion. Only God knows what the future holds.

[Question] What is the effect of that suspension on the opposition?

[Answer] That suspension may lead to an active, positive membership, or it may lead to a full resignation. I believe that the Muslim Brothers are talking seriously about that decision in all the governorates. I suspended my membership because there was a change in direction and not because one person was replaced by another.

[Question] If the suspension of membership leads to a resignation, for example, do you believe that you can still serve in the People's Assembly?

[Answer] There is no legal provision for this problem. I believe that having won in the election, we ought to stay in the assembly on behalf of the voters. At any rate, we may find an alternative.

[Question] If the suspension of membership were to lead to a positive membership, what would be the nature of this positive membership?

[Answer] It is one of two decisions. The party would have to change its posture toward me. In this case I would thank the party for its change, and I would tell it, "If you declare that you are still an enemy of secularism and are still calling for the application of Islamic law, you can choose anyone you want [to be the spokesman for the opposition]. At that time I will not ask that I represent the opposition and that I act as a spokesman for the Wafd Party." This is not a personal matter. But if the party does not do that, I will still keep my seat in the People's Assembly.

[Question] Do you believe that other assembly members who are Muslim Brothers hold the same position you do?

[Answer] I would not advise them to do that because I wanted my position to be a personal one and not a collective one. This is because I am a member of the Supreme Board of the Wafd and one of the charter members of the party in 1978. I became a charter member of that party so we could have a party opposed to another: the ruling party that we had given up on. I thought the Wafd Party may offer what the rest of my colleagues could not. I made that decision on the basis of these relations and ties.

[Question] Was the decision to suspend your membership a personal decision or did you consult some of your Muslim Brothers colleagues about it?

[Answer] It was a personal decision.



[Question] What was the Muslim Brothers' attitude toward that decision?

[Answer] I have not met personally with Mr 'Umar al-Talmasani, but I was told that after he found out about my decision, he asked that I do anything but suspend my membership. But I had lost patience, and I made the decision to suspend my membership without consulting anyone.

[Question] Do you expect the Wafd Party to appoint a spokesman for the party who does not believe in the party's principles and who believes in the principles of another party?

[Answer] The Wafd Party makes no claims for being a party that calls for godless ideas. The Wafd party honors the constitution, which is a point that we and they agree upon. We want nothing more than Article Two of the Constitution so that Islamic law can be applied, and they are sworn to honor the constitution. It is from that premise that we are appealing to them and are dealing with them. This is a good point of agreement.

#### The Alliance and Its Objectives

[Question] What was the Wafd aiming at in accepting Muslim Brothers as candidates for office on their lists? Did the Wafd intend to win the largest number of seats possible and then turn its back on the Muslim Brothers after its lists won in the elections?

[Answer] That the aim of the Wafd was to benefit from an alliance with the Muslim Brothers is true because if the Wafd had seen no benefit in such an alliance, it would not have accepted it. This is equally true of the Muslim Brothers who found that their interests would be served in an alliance with the Wafd. The interests of the Muslim Brothers could have been served, for example, with the Labor Party, but I told them that the Labor Party had endorsed Camp David and the normalization of relations with the Jews, and we had rejected that. It is true that the Labor Party has retracted its position on Camp David and has rejected that treaty indicating that it had accepted those conditions with reservations. The Labor Party stated that when it found that its reservations were not given consideration, it withdrew its approval of Camp David. However, the fact still remains that the party did approve that treaty. In addition, it is a socialist party. How can a greater ideology be incorporated into a smaller one? How can Islam be incorporated into socialism? That is inconceivable. However, the Wafd Party had been established before the conditions for the establishment of parties were set. One of these conditions is recognition of Camp David.

[Question] Was the fact that the Wafd party had not recognized Camp David the only reason for the alliance with the party, or were there other reasons?

[Answer] Among the other reasons for this alliance are the respectable history of the Wafd; the integrity of its leaders; its mystique; its popularity; and its appeal among the people.

[Question] It is being said that one of the principal reasons for the alliance is the common position assumed by the Muslim Brothers and the Wafd toward the July Revolution.



[Answer] The July Revolution has its good points and its bad points. In this regard I like what al-Shaykh Muhammad al-Ghazali said when he proclaimed from a pulpit on a Friday on the anniversary of Jamal 'Abd-al-Nasir, "O God, forgive him and grant him mercy commensurate with the services he rendered to Islam." The audience laughed because what al-Ghazali said was tantamount to asking God not to forgive 'Abd-al-Nasir or show him mercy because the man had dealt nothing but blows to Islam. In 1954 he disbanded the Muslim Brothers; in 1956 he disbanded the religious courts; in 1961 he dealt a blow to the religious trusts of mosques and religious institutes but not to those of churches. Then he dealt a blow to the curricula at al-Azhar in the name of developing them. Then he was succeeded by al-Sadat who began his rule by proclaiming a state of knowledge and faith and ended it with the notion that Islam is a religion and a state. And yet, there is neither religion in politics nor politics in religion. It is this that causes us not to support them. Why then should we support the July Revolution?

[Question] Don't you believe that Fu'ad Siraj-al-Din deceived you?

[Answer] I don't believe so because I went to him of my own free will and I left him with my own free will. I also believe that Fu'ad Siraj-al-Din is an honest man who has been exonerated several times under al-Sadat's administration by a military court or a civil court. The courts found nothing against him; they found nothing to condemn him for. He is referred to as "the pasha" to distort matters. And let me say here that the founder of the National Party, Mustafa Kamil, was a pasha and that Sa'd Zaghlul was a pasha. Nevertheless none of these pashas did what 'Ismat al-Sadat, Rashad 'Uthman or Tawfiq ['Abd]-al-Hayy did.

[Question] Your Eminence, it is being said that the U.S. Embassy maintains relations with Mr Fu'ad Siraj-al-Din. Is that true?

[Answer] The U.S. Embassy or other embassies have relations with all parties and their leaders to find out from them what their opinions and their plans are. I was personally asked to talk with them about the Personal Status Law. So I got in touch with the Ministry of the Interior and the concerned agencies, and with their knowledge, I met with a delegation from the embassy. I spent 6 hours with them, answering their questions and their ideas about this matter. I informed official agencies about that meeting lest I be accused of having relations with the American Embassy. They tried to meet with me several times after that to find out what my views were, but I declined despite the persistent requests they made every time I declined. I explained to them that I would not meet with them because they were in league with the Jews. I told them, "To us, you and the Jews are alike. 'But God forbids you to make friends with those who have fought against you on account of your religion and driven you from your homes or abetted others to do so' [al-Mumtahanah: 9]. And you have abetted the Zionists to get us out of our land."

[Question] Your Eminence, at first we asked you about the reasons that made you suspend your membership in the Wafd party? What new developments made you change your mind and revoke your decision to suspend your membership?

[Answer] After I announced that I was suspending my membership in the Wafd Party, the party affirmed that it had not changed its earlier position of being an enemy of secularism. The Wafd declared that it was committed to its demand

that Article Two of the Constitution be applied. This is the article that stipulates that Islamic law is the principal source of laws in Egypt. Thus, I changed my mind about suspending my membership in the Wafd Party and returned to my former position in the party as member of the Supreme Board of the Wafd and member of the Wafd's parliamentary caucus.

Thus, the effect of my action to suspend my membership was good. The party pledged that its official spokesman, Mr Mumtaz Nassar would call for the application of Islamic law. It made that pledge in its own newspaper which came out on 7 Ramadan 1404 A.H. [7 June 1984].

#### The Attitude of Copts toward the Wafd and the Muslim Brothers

[Question] What is the attitude of the Copts toward the alliance between the Muslim Brothers and the Wafd?

[Answer] God Almighty spoke the truth when He said, "You will please neither the Christians nor the Jews unless you follow their faith" [al-Baqarah: 120]. The Copts wanted to discuss a few Islamic issues, but I restrained them and told them, "What is of concern to you is that if an Islamic state is established, you will be under its protection. This has been a well-known fact since the days of the prophet, may God bless him and grant him salvation."

[Question] One of the statements made by secularists in voicing their opposition to the alliance between the Wafd and the Muslim Brothers was that this alliance would cause the Wafd to lose many Coptic votes. Did this really happen?

[Answer] The Copts did not vote for the Wafd. They are also not that many to have an influence. I also believe that the votes of the Muslim Brothers are many times more the votes of the Copts. The best indication of that lies in the fact that the Wafd did score such a great victory at a time when parties which had been working on the scene for 8 years lost.

[Question] Would the Copts have voted for the Wafd if the Wafd had not allied itself with the Muslim Brothers?

[Answer] The Copts would have voted for the Wafd based on the party being a secular party. "You will please neither the Christians nor the Jews unless you follow their faith" [al-Baqarah: 120].

[Question] Who voted for the three Copts who won in the elections?

[Answer] They were not elected by the membership of the Wafd. Each party in Egypt tries to have a few Copts in it on the basis of national unity.

#### An Opinion

[Question] It is being rumored in the Arab and foreign press that President Husni Mubarak wants to establish for himself a new party within the National Party.

[Answer] I have no knowledge of that.

[Question] It's being said that al-Sadat's 10 years in office were much worse than 'Abd-al-Nasir's 20 years. What do you think about that?

[Answer] To us Muslims the two are the same because neither of them did Islam any good.

#### The Islamic Awakening

[Question] Early in the interview you mentioned that the Islamic awakening was now in its peak and that it was in its early stages in the seventies. Do you find anything in the results of the Egyptian elections that bodes well, and do you see in those results a positive step to serve Islam and Muslims?

[Answer] I am saying that the Islamic awakening is at its peak. The awakening does not mean gaining influence on earth. The manifestations of an Islamic awakening are numerous. One of them was evident, for example, that day when I was invited with a group of professors and scholars to a young people's symposium that was held in Alexandria in 1981 on Easter Day. The young people had decided to fast that day, and the symposium was attended by about 100,000 persons.

I have been invited to a conference on the Islamic awakening that will be held next July in Algeria. In Egypt young physicians, like 'Abd-al-Mun'im Abu al-Futuh, 'Isam al-'Iryan and Hilmi al-Jazzar won elective positions in the Physicians' Union.

But efforts are being made to abort this awakening. Campus police use detectives and intelligence officers to forbid debates, and men wearing beards are harrassed. Although President Husni Mubarak has called for religious instruction in all the stages of education, his appeal has fallen on deaf ears. I am not one of those who say that the awakening is beginning to fade. I rather believe that it has taken hold. But what I do fear is that the movement lose its scholars and intellectual educators. Those people have to maintain a paternal and sympathetic relationship with the Islamic awakening.

In concluding we thank His Eminence al-Shaykh Salah Abu Isma'il for granting us this interview, and we hope, God willing, to have more such interviews with him in the future as long as the purpose is that of serving Islam and Muslims.

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## SUDAN

### BRIEFS

UNITY PROVINCE'S GOVERNOR SWORN IN--Khartoum, July 11--The commissioner of the newly established Unity Province of Bahr al-Ghazal Region Charles Koat Chatem was sworn in before President Numayri at the People's Palace here yesterday. Present at the oath-taking ceremony was the Deputy Governor of Bahr al-Ghazal Region Philip Obang. Afterwards, the President met with Obang and the new Commissioner. In a press statement following the meeting, the Commissioner said they discussed ways and means of establishing the new province's facilities. He said the President promised to support efforts in that respect. He said the meeting also stressed the necessity of reopening Bahr al-Ghazal River water-course between Bentiu and Malakal which is currently being blocked for navigation by weeds, to facilitate transportation of supplies and development materials. He said the meeting contemplated contribution by the River Transport Corporation and the Egyptian Irrigation Administration to the clearing of the water-course. The Commissioner said the decision of the establishment of the Unity Province, which witnesses the implementation of the most important developmental projects in the field of oil prospection, was warmly welcomed by the citizens. [Text] [Khartoum SUNA in English No 4920, 11 Jul 84 pp 4-5]

WESTERN SAVANNAH DEVELOPMENT PROJECT--Khartoum, July 17--The Agriculture Minister has set up a committee to review a report, prepared by an Australian firm, on the Western Savannah Development Project. The said report has recommended continuation of development work on the project in southern Darfur area with the establishment of a 2nd phase. The report has also confirmed steps governing the strategies and programs of this 2nd phase that aim at developing the area's agricultural potentialities through the introduction of new systems and technologies, the consolidation of basic agricultural services, and the promotion of rural water resources. Estimates of the 2nd phase finance amount to \$30 million and contacts will be made with the projects first phase financiers, that include the World Bank, the Saudi Development Fund and the British Overseas Development Administration, to finance it. Cost of the 1st phase had amounted to \$26.5 million. The committee comprises concerned Agricultural Ministry officials and representatives of Darfur Region Government and the Western Savannah Development Corporation. [Text] [Khartoum SUNA in English No 4926, 17 Jul 84 pp 2-3]

# POPULACE EXPECTS IRANIAN OFFENSIVE AT ANY TIME

London AL-TADAMUN in Arabic No 63, 23 Jun 84 p 10

[Article by Diyab Nabhan: "Escalation Is Still Likely; 'Peace of Cities' Is Fragile Truce and Iraq Is Alert to All Possibilities"]

[Text] On the evening this report was written at the AL-TADAMUN office in Baghdad, both the Iraqi and Iranian cities were enjoying the calm which had prevailed since 12 June 1984 when the two countries responded to the appeal addressed to them by De Cuellar on 9 June 1984 to stop strikes against cities. The violation committed by the Iranian side 4 days after the agreement went into effect did not affect the Iraqi side's abidance by the agreement. At the time, the Iranian forces shelled the Iraqi quarter of Sayyid Sadiq which is located in the northern area, close to Panjwin, which witnessed a series of ferocious battles between the two sides at the end of last year. Iraq not retaliate and contented itself with a memorandum sent by Tariq 'Aziz, the deputy prime minister and minister of foreign affairs, to De Cuellar asking him to speed up the dispatch of the team delegated to investigate Iran's continued shelling of the purely civilian centers in Iraq and warning that Iran's continued violation of the agreement would compel Iraq to retaliate in kind.

However, the agreement seems weak, fragile and incapable of standing fast and gaining stability. It also seems that the calm enjoyed by cities in the two countries is no more than a temporary calm or a passing cloud. The team of UN observers formed to supervise this agreement may not find the chance to perform its tasks and duties in the desired manner.

Information obtained by AL-TADAMUN from informed and reliable sources indicates that the Iranian land offensive about which a lot has been said since the failure of the recent Khaybar operation last February may take place at any day now that the debate has, it seems, been settled in favor of the current in the Iranian regime calling for launching the offensive, regardless of the results it produces. This is the current led by Hashimi Rafsanjani, the Iranian Consultative Council chairman and Higher Defense spokesman, who has the support of Ahmad Khomeyni.



An expert on Iranian affairs has told AL-TADAMUN that the Iranian offensive was scheduled to be launched on 5 June but that the Iranian command was forced to postpone it after it had withdrawn large numbers of the guard forces to deploy them inside the Iranian provinces to confront an uprising advocated by (Majahedin-e Khalq) which is headed by Mas'ud Rajavi, the chairman of the Iranian Resistance Council, on the anniversary of the assassination of Musa Khiabani and Ashraf Rajavi and a number of other leaders of the organization in Tehran 2 years ago on the hands of the guard and after the explosion of the situation in Baluchistan Province in the wake of the failure of the endeavors made by the regime to freeze the province's conflict with the government.

On the other hand, Baghdad is talking of the ability of the Iraqi army to repel and destroy the anticipated Iranian offensive with a high degree of reassurance and confidence. This is justifiable because the balance of forces is evidently tipped in favor of Iraq and Iranian military tactics have become well known to the Iraqis.

The acts of infiltration of a border area with a limited force to divert the Iraqi army's attention from the target and to create confusion as to the main objective of the Iranian offensive have produced no results whatsoever, thus depriving the Iranian forces of the element of camouflage and surprise. This means that the fate of the anticipated offensive will not be any better than that of the previous abortive offensives, if it is not much worse. This is why the experts find it likely that the Iranian forces will incur vast human losses without scoring any military victories. This will intensify the psychological and moral frustration and will lead to worse internal crises in Iran--crises which the Iranian regime will not be able to withstand and which may lead to fragmenting the ruling institution.

Moreover, Iraq will, as a prominent Iraqi official has asserted, be absolved of any obligation or any agreement should an Iranian offensive be launched against its territories. In light of this fact, the circumstances that will develop when the Iranian offensive is launched will motivate Iraq to use its full military capability in the air, at sea and on land to destroy the Iranian military machine and to demolish the economic and oil installations on which Iran depends to nourish its war machine and to prolong the war.

Tariq 'Aziz, the deputy prime minister and minister of foreign affairs, revealed in a recent statement that Iraq has defined 80 Iranian targets to be destroyed within the context of Iraq's policy, which seeks to drain Iran economically and to deal it a fatal blow. These targets are not confined to the Iranian oil installations or to Khark Island and the oil refineries in Tabriz, Shiraz and Isfahan but also include the main communication links which Iran uses in its transit trade with neighboring countries. Observers assert that Iraq possesses new and sophisticated weapons with a vast destruction capability, including a network of surface-to-surface missiles comprising SS-20 and SS-21 medium and long-range missiles, in addition to Scud and Grad missiles. Iraq also possesses AS-4, AS-5 and AS-6 air-to-surface missiles launched by the Soviet TU-22 aircraft which

are similar in their efficiency to the Exocet missiles launched by the French Super Etendard aircraft.

Therefore, the fragile agreement to stop shelling cities will not prevent the war from escalating, as evidenced by the Iranian statements on what the Iranian officials call the decisive offensive or the final battle which will lead to serious complications that will take the war to a new phase whose consequences are difficult to foretell. This makes the thought and effort given to ending the war immeasurably more important than the thought given to just containing the fires of this war or to alleviating its likely consequences.

8494

CSO: 4404/541

## DESTINATION OF STOCK MARKET MILLIONS QUESTIONED

Tel Aviv YEDI'OT AHARONOT in Hebrew 29 May 84 (Supplement "Finance") p 1

[Article by Beni Barak: "Where Did the Billions Which Left the Stock Exchange Go?"]

[Text] Tens of billions of shekels, perhaps even hundreds of billions, which in recent months have left the securities market, have disappeared in the Israeli capital market as if they never existed. This has become apparent from the coordination of financial data which is in the public domain, conducted by the Bank of Israel.

According to these data, at the end of March of this year, the Israeli public held financial property such as cash, current accounts, certificates of deposit, local resident deposits, securities, bonds, etc in an amount approaching \$15.1 billion. A month and a half later, in the middle of the month of May, the scope of financial assets held by the public had been reduced to only \$14.1 billion (see the table below).

Where did this gigantic sum of about one billion dollars, equal to 200 billion shekels, go?

There are those who claim that most of the funds have been transferred to short term deposits in shekels, such as certificates of deposit and local residents deposits. But a study of the data of the Bank of Israel does not support this claim. On the contrary, in this category of deposits there has occurred since the end of March a real decline of 11.3 percent. Even in dollar accounts, (local and foreign residents deposits) there has not occurred a real growth, and there has even been recorded a slight decline.

There has been a growth only in the amount of cash and current accounts in the hands of the public--a strange phenomenon which in itself points to the confusion prevailing among investors.

### "Green Dollars"

In all of this there is of course nothing which explains the difference of a billion dollars in the financial assets held by the public at the end of March and those held by it in the middle of May. It is more likely that the

explanation will be found" outside of the system," meaning, in investments which are not recorded in the official financial system.

One of the most popular explanations in this area is the massive transfer of funds to the green dollar market, under floorboards, in mattresses, in home safes, and even in illegal foreign accounts. Uncertainty regarding the election results, and government measures which will be taken after the elections, are causing a mass "flight" of money to the black market.

In recent weeks the demand for the black market dollar has increased, and as a result its price has risen to 18-20 percent over the official bank rate, in contrast to the difference of only 8-10 percent between the black market rate and the official rate of all of last year.

The turnover of black market deals is unknown, but it is estimated that they involve tens of millions of dollars per week, and perhaps even more.

Some of this money also finds its way abroad, and recently there have been reports of police investigations of the matter, but in the meantime there are no official figures on this.

Also, the rapidly approaching travel season is causing many Israelis to advance their purchase of travel tickets, and to accumulate foreign currency to finance their stay abroad. For this purpose they are taking advantage of funds for advanced study, withdrawing funds from the stock market, and even savings programs which have matured are not being reinvested.

In this respect, the month of April was exceptional, and the public purchased new savings plans in an amount which exceeded the amount redeemed, although in the month of May the trend again changed, and redemptions exceeded the enlistment of new funds for savings programs.

#### Movement in Shops

In recent weeks, the shadow of economic measures which may be taken after the elections has also caused the advance of purchasing of consumer products. Last week (perhaps because of the heavy liquid deficits at banks) the movement of purchasers declined, but for a number of weeks, dealers in electric and electronic appliances have claimed that the movement of purchasers has been active.

Again, people are buying videos, color televisions (many having small screens, as the second television for the house), dishwashers, and refrigerators. Sales campaigns of refrigerators by Amcor and Tadiran have been very successful.

The new car market is also not what it was in the past when we compare these sales figures with last year's. There has in fact been a decline in sales of 50 percent. But since December, auto sales have been moving steadily upward.

So, for example, in the month of December 1983, 3,440 cars were sold; in January 1984, 3,651 cars were sold; in February--3,870 were sold; in

March--4,549 were sold; in April--4,781 were sold; and in the first half of May, more than 2,500 cars have been sold. The second half of the month has been better, and apparently sales will reach 6,000 new cars for the month. Since prices of cars are quoted in foreign currency--the car market is apparently absorbing a lot of cash from the market.

It is interesting to note that in recent months there has also been a revival in the used car market, and the price of used cars is now rising at the rate of the dollar, and sometimes even faster.

It is a surprising fact (or maybe not?) to note that the market in apartments and real estate continues to be lethargic, with a decline in prices. It would seem appropriate to exploit the low prices, and the fears of what will happen after the elections, to purchase "real" property, but in fact that is not what is happening. Apparently, investors are waiting for a further decline in the prices of this property after the elections, and so they are not running to buy now.

An analysis of the conduct of the Israeli investor in the capital market, conducted last week by Yurotim Co, has determined decisively: "The Israeli investor is fleeing from Israeli currency. Between the end of 1980 and March 1984, there has been a decline of 400 million dollars or 44 percent in the total means of payment in the hands of the public".



# FINANCIAL ASSETS IN THE HANDS OF THE PUBLIC

(December 1983-May 1984)

	Amount in billions of shekels			Real change in %	
	<u>May 84</u>	<u>March 84</u>	<u>December 83</u>	<u>March-today</u>	<u>Dec-today</u>
Means of payment					
Cash and Current					
Accounts	114	76	61	+43.5	+0.8
Certificates of					
deposit and time	117	148	77	-11.3	+19.7
certificates					
Total means of					
payments	285	224	138	-2.3	+11.3
Stocks:	815	805	487	-22.2	-9.8
Bonds:	328	277	204	-9.1	-13.3
Dollar investments:					
Local residents-					
deposits:	779	609	423	-1.8	-0.8
Receipt of compen-					
sation	480	386	264	-4.5	+0.4
Total dollar invest-					
ments 1259		995	687	-2.8	-1.2
Total financial					
assets:					
In Billions of shekels	2687	2301	1516	-10.3	-4.5
In Billions of dollars	14.14	15.10	14.17	-6.4	-0.2

(Data refers to middle of May 1984)

7075

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## STATUS OF RELATIONS WITH ZAIRE DISCUSSED

Tel Aviv YEDI'OT AHARONOT in Hebrew 30 May 84 pp 21, 30

[Article by Eliezer Strauch: "To Do Business With Zaire and To Lose All the Money"]

[Text] Exactly 2 years ago, the Foreign Ministry celebrated the "great breakthrough in Africa": the establishment of diplomatic relations between Zaire and Israel. As is known, there was no breakthrough. Only one country, Liberia, followed Zaire, and in pure diplomatic terms, that continent is still closed to Israel.

But relations with Zaire were not intended to be just an introduction to a diplomatic breakthrough. When at the end of 1982, Foreign Minister Yitzhaq Shamir traveled to Zaire, he was accompanied by a large delegation of businessmen, who were barely contained by the Boeing 727. But the business never materialized.

If the plan of President Mobutu had come to pass, and he had come to visit Israel in the month of April, there would have been several unpleasant problems awaiting him, all having a common theme: money. These problems raise a lot of question marks regarding the noisy manner in which the formulators of our foreign policy presented relations with Zaire. Because ultimately, it is a bit difficult to do business with a country which has no money in its coffers, not even enough to pay the rent for its diplomats abroad. Israelis who did not know this were forced to learn it at their expense.

Let us begin with the large items. When Yitzhaq Shamir and Ari'el Sharon visited Zaire, separately, they concluded with President Mobutu a sale amounting to \$20 million. Mobutu attached such importance to it that he spoke of it to every foreign correspondent who was ready to listen.

According to the agreement, Zaire was supposed to obtain a letter of credit last November to cover the deal. Zaire was unable to obtain this letter. Not one banking institution in the world was ready to issue it a letter of credit. The equipment which was supposed to embark for West Africa did not leave. It remains in storage in Israel, with the vain expectation of the fulfillment of the terms of the agreement.

It was clear to Zaire that Israel would not be able to extend it credit. But Zaire is sure that Israel would use the "collective force of world Jewry" and find wealthy Jewish financiers abroad.

Indeed, an Israeli businessman with close connections to Shmu'el Flatto-Sharon, was enlisted to help Zaire. He told the Zaire consulate in Tel Aviv that he had succeeded in finding such financiers in Western Europe, and they were not necessarily Jewish. In exchange for the financing, they wanted valuables from Zaire in the form of products which Zaire exports.

But even this practical idea did not work out. One possible explanation is that those who proposed it sought to exploit the terrible hardship of Zaire, and to obtain goods at a price far below market value. According to another source, Zaire was forced to mortgage its natural resources--in particular copper and diamonds--to its many creditors, and it has nothing left to sell. It should be noted that in terms of its potential, Zaire is one of the richest countries in Africa. But for years, its wealth has been flowing into the pockets of its rulers in huge quantities.

A third explanation, which brings us closer to more prosaic issues is that since the proposal was made, Zaire's ambassador to Israel has been replaced, and the new ambassador holds a grudge against his predecessor. He therefore decided to cancel the whole deal which the previous ambassador had concluded.

This decision does not concern only the large matters, but also the small matters which directly affect Israeli citizens.

One of them is the Jerusalem contractor Ya'aqov Yahalomi. Yahalomi signed an agreement with the previous Zairian ambassador, Mabuza Nasubi Lubwanabi, to acquire a piece of land in Jerusalem. This land had been owned by the government of Zaire from the days when the Zaire embassy had been located in Jerusalem, before 1973. The Zairians wanted to sell the land because they needed cash to finance the current activities of their representatives in Israel.

The land is located in the Qatamon neighborhood, and consists of 200 square meters. The Zairians were asking \$280,000. On the day the agreement was signed, 5 January of this year, \$100,000 was delivered. Another \$40,000 was delivered 4 days later. A month later, the purchasers--Yahalomi, members of his family, and others--paid another \$80,000 to embassy attorney Yosef Shalosh. Sixty thousand dollars were written off for the payment of taxes and other expenses.

#### Investigation Halted

A few days after signing the agreement, the Zairian ambassador finished his term and left the country. In mid-January, his replacement and opponent arrived. The new ambassador, Nagbagda, wrote to attorney Shalosh simply: the deal is null and void. There was no explanation.

I was unable to obtain any comment from the Zaire embsssy regarding this story. The Israeli secretary told me that none of the staff was in the country. I then approached attorney Yosef Zukerman, who was authorized by the embassy to handle

the matter. According to him, the deal was cancelled because the new ambassador had discovered "irregularities which raise suspicions regarding the honesty of the participants in the deal," including the previous ambassador. Of the \$140,000 dollars which Yahalomi and his partners paid, only \$80,000 went into the account of the embassy. The rest of the \$60,000 remained in the hands of attorney Shalosh.

Shalosh sent a bill for his services to the embassy in the amount of about \$15,000 dollars (quoted in shekels at the official rate of exchange). Two additional checks in the total amount of \$45,000 dollars were transferred to an Israeli businessman, Michael Oren, who has close ties with Zaire (he was born there, had lived there for 20 years). The two checks were deposited in the account of a third person, Serge Gozlan, the father-in-law of Flatto-Sharon.

At the request of the embassy, a member of Binyamin Segal's staff at the National Police Headquarters investigated suspicions regarding Oren and Gozlan, who "had conspired with the previous ambassador and had collected a brokerage fee at a rate higher than that allowed by law (2 percent)". The investigation was closed for the reason that there was no public interest in the affair. The rael reason was that the investigation could be completed only in Ziare. No one knows the fate of the previous ambassador. It is only known that he did not arrive at his new post in London.

In the meantime, attorney Zukerman claims that the new Ziare ambassador is ready to conclude the affair with the purchaser of the land, and even to return to him the \$80,000 deposited at the embassy. "As for the rest of the money," he added, "the complainant can go to the person to whom the money was given".

In response to my inquiry, Michael Oren rejected the claim that he had improperly received \$45,000 dollars from the deal. He said: "This is only part of the money which Zaire owes to me as compensation for consultation which I provided to the embassy, and for my enlistment of Belgian investors who saw fit to invest funds in factories in Zaire.

"I had reached an agreement on this from the start with the Zaire ambassador and I even helped to move the sale of the land forward under the best conditions that it was possible to achieve, because I knew that otherwise I would never recover what was coming to me. In fact, I have still not settled the account with Zaire, because they still owe me additional fees in the amount of some \$24,000 dollars".

What is clear is that the embassy of Zaire, like the country which it represents, is in severe financial straits. This was acknowledged by Ambassador Lubwanabi in September of last year, when a letter was sent to the Israeli Foreign Ministry, which announced his intention to sell the field owned by his country in Qatamon, in order to repay debts incurred by the embassy.

But according to attorney David Mani, who represents one of the creditors of the embassy, the Zairians are not suffering from any pangs of conscience because of their inability to repay their debts. The embassy is not troubling

itself at all to respond to repeated inquiries regarding the rent of \$10,000 which it owes for its luxurious quarters where the previous ambassador lived until the beginning of this year. The ambassador paid a year's rent in advance, but lived there an additional 5 months without paying rent.

According to attorney Mani, when the ambassador finally decided to leave, he left the place "completely destroyed", and refused to compensate the landlord, as he was required to do under the lease.

#### Refusal to Pay Compensation

The same thing happened to the Eliyahu Insurance Co, whose offices in Tel Aviv were occupied by the embassy of Zaire for a few months. A lot of damage occurred there as well, and again the Zairians refuse to pay compensation.

I know of another eight luxury apartment owners, who rented apartments to Zairian diplomats, and who have not received rent. But at this stage, these people prefer "quiet diplomacy". They still believe that they will be able to collect their money.

In any case, it is clear that the Zairians can rest peacefully. Their diplomatic immunity relieves them of the necessity of facing a court in these matters. It is stated in a letter of Yo'av Bahigo, the legal counsel of the Foreign Ministry, to one of the creditors: "In light of the diplomatic immunity of the embassy, our ministry can only try to clarify the matter and appeal to the good will of the Zairians".

Good will is precisely what the Zairians lack. They have reached the conclusion that the exaggerated enthusiasm of the Israeli government to preserve this doubtful diplomatic asset--relations with one of the most corrupt and cruelest regimes in the world--will save them from any difficulty.

7075

CSO: 4423/58



## BIKFAYYA SECURITY AGREEMENT DISCUSSED, PRAISED

### Small Step Toward Solution

London AL-HAWADITH in Arabic No 1443, 29 Jun 84 pp 14, 17

[Article by 'Izzat Safi: "Lebanese Cabinet Entrusted to Play with Lost Time; Small Solution in Absence of Big Solution"]

[Text] Were it not for some caution, Prime Minister Rashid Karami would call his cabinet a "security cabinet, nothing more" instead of a "national unity cabinet" because a nondescript unity seems impossible, not to mention a unity that can be called national unity.

The security for which this cabinet has been formed is limited and confined to an area, not exceeding 50 square kilometers, called Greater Beirut.

Any endeavor to exceed this area and to extend its borders east, north or south is considered an adventure with unknown consequences.

When Syrian Vice President 'Abd-al-Halim Khaddam came to Bikfayya last week, he had only one word to say, namely, "security," with all the arrangements which this word entails and which must be agreed upon by the official and partisan leaderships.

Security, according to what one of the ruling opposition leaders said at the Bakfayya meetings, is a policy. Were it not for the political conflict in Lebanon, security would not have been disturbed and this war, which has not subsided yet because of the failure to reach a political agreement, would not have erupted.

The Syrian vice president did not come to Lebanon to discuss political issues pending between the Lebanese. He had had enough discussion of these issues at the Geneva and Lausanne conferences. He came to tell the officials meeting in the government that there has to be a decisive agreement at this time to stop the internal war and then to move on to implement what was agreed upon in Lausanne.

But the Lausanne agreement is almost becoming outdated because of the numerous plans and positions that have appeared in its wake and that have almost exploded its provisions and stifled its spirit. It has become evident to all that it is useless to raise loose slogans of political reform and national salvation as long as the issue of appointing any army commander has taken enough time and enough lives and property to wage a major liberation battle.

Agreement has been reached on this issue only on the basis of the reality, i.e., by having every faction in the government empowered to select officials to the positions that concern its sect.

The cabinet, which agreed in its first session to become a higher defense council, will find itself an idle commission insofar as military affairs are concerned unless it first agrees on the meaning of "defense" and against whom this defense is to be.

But the pressures that have thrown their weight on all the factions and circles in recent weeks have made the regime, including the opposition, turn toward a settlement which some describe as limited and short-ranged and which others describe as an inlet to the final settlement that guarantees security and stability for all.

A number of prominent political officials heard statements prior to Syrian Vice President 'Abd-al-Halim Khaddam's visit to Bikfayya to the effect that it is useless to fabricate the bloody battles which occur from day to day with the aim of backing down on the Lausanne agreement because what was agreed upon there constitutes the minimum that provides the opportunity to reunite the Lebanese.

These politicians recalled what they had been told 4 months earlier. When Shafiq al-Wazzan's cabinet adopted on 5 March 1984 the decision to abolish the 17 May accord, an Arab mediator contracted a number of the Lebanese opposition leaders and told them: "Regardless of the nature of the political conflict between you and the government or the 'regime,' as you call it, a new phase has started with the abolition of the accord and we must all cooperate to make this a phase of quick reconciliation and understanding so as to avoid more victims and destruction."

The Arab mediator went on to tell his Lebanese friends: "Sooner or later, you will reach with your adversaries a solution that begins with the participation of all of you in a single government. So why don't we shorten this time of death and torture for the people and the homeland?"

These same words were said verbatim to the Lebanese Front leaders and to political figures who have a role in making the insurmountable crisis easier.

Those who received the Arab message understood at the time that a strong hand was put on the war game in Lebanon and that this game was no longer permitted to proceed as the players wished it to proceed. The area has entered the period of a serious settlement of accounts and Lebanon must be in the Arab, not the U.S.-Israeli, axis when the coming settlement of accounts arrives.

The Lebanese political and military leaderships were not unaware of the background of the shift in the regime's wager from the United States to Syria. Most of these leaderships had taken part in the efforts to exert political and military pressures--positions which put the regime before the sole option of either persisting with the U.S.-Israeli direction, with the subsequent internal fighting and estrangement from the Arabs, or of retreating toward Syria, with the accompanying relaxation that would rearrange matters by a degree that makes an understanding among all the Lebanese possible.

The well-known fact is that abolition of the 17 May accord opened the door to the second link in the Lausanne dialogue conference and the Lausanne conference opened the door to forming the "national unity cabinet." Between Lausanne and the formation of the cabinet, Damascus opened the doors twice to President Amin al-Jumayyil. AL-'AMAL, organ of the Phalange Party, published an editorial during al-Jumayyil's presence in the Syrian capital (20 April 1984) which started with the following:

"We acknowledge that we cannot dispense with Damascus at this hour, either to stop the war or to end this fearful vacuum in the government. Without its assistance, a cabinet may not be formed and we may know only troubled security. If it is true that this assistance may be incomplete and limited, it is also true that our security passes this time through Damascus, and so does the internal accord which is very necessary to bring in a cabinet that takes care of man's very essential needs. In any case, President Hafiz al-Asad has deep influence in both spheres."

These words were a reflection of what President Amin al-Jumayyil was supposed to have said in the Syrian capital, without consideration for or willingness to remember what he had said in his latest visit to Washington, where he threatened to return the missiles falling on Beirut to Damascus!

In reply to anyone who reminds him of his words in the United States, President al-Jumayyil says that a ruler is not a saint repeating a prayer and that the president is entitled to get emotional for the cause of the homeland.

In more than one private session, the president of the republic has told those close to him that he is only committed to the salvation process, that he will not pause before procedural matters and that he will task himself only for the results. Consequently, he has chosen the new direction away from the 17 May accord.

But since the so-called "Damascus agreement" was reached, the political circles have begun to reiterate that the regime threw away the more important card in its hand (the 17 May accord card) and that it is now in the position of one waiting for the price whereas the opposition says in reply that, on the contrary, the 17 May accord is a mistake for which the regime must pay, not collect, the price. It seems that the demanded price, namely the resignation of the president of the republic, has become unlikely and that this price was replaced by the phased agreement reached at the Lausanne conference. This is why it has been said since that time [Lausanne conference] that they all returned winners. The president of the republic has obtained from his opponents an acknowledgement, even if only as a matter of formality, of the legitimacy of his presidency. The opponents have gotten a document containing what they consider the minimum conditions for reforming the system and for distributing the state positions on a basis of equality.

But the cabinet that was supposed to constitute a framework for the settlement has itself turned into a problem. Observers have been at a loss as to how to interpret this phenomenon that accompanied the cabinet from the moment of its formation until the start of the vote-of-confidence sessions. The ministers agreed to hold several sessions in Bikfayya to draft and approve the cabinet statement. When they approved the statement, asked for the vote of confidence on its basis and got this vote, they stopped meeting in Bikfayya or elsewhere because the time for action and implementation had arrived. This is why some deputies have gone so far as to demand reconsideration of the vote of confidence they had given the cabinet as long as the ministers themselves do not give themselves and do not exchange this confidence. That "Black Monday," in which more than 120 people were killed and more than 300 were wounded as a result of the indiscriminate shelling, was no more than another, but not last, payment toward the expenses of the bill to obstruct the political solution and to prevent moving to the phase of translating the cabinet statement into decisions and decrees.

Thus, another agreement or statement had to be achieved. This is what happened during Syrian Vice President 'Abd-al-Halim Kahddam's visit to Bikfayya last week.

Khaddam's arrival was preceded by clear Syrian statements which took the form of a warning that Damascus will not put up from now on with any person who obstructs the task of Karami's cabinet. Damascus notified the people concerned that this cabinet's statement is considered an indivisible part of the national reconciliation plan whose foundations were laid down at the Lausanne conference in the presence of the representatives of Syria, the Kingdom of Saudi Arabia and all the Lebanese parties involved. Now that the cabinet has gained the confidence on the basis of its clear statement with its clear-cut principles, objectives and reform rules, this statement has gained the status of a constitutional national document whose implementation may not be obstructed by anybody, especially since the statement-charter contains political positions and principles that go beyond the local reality to the regional framework. From this angle, defending the national unity cabinet has become a national duty at the pan-Arab level.

During the hours Khaddam spent in Bikfayya in meetings with the various Lebanese leaderships, he projected a detailed picture of the area's situation and of the dangers engulfing Lebanon as a result of the Israeli scheme focused on keeping Lebanon explosive and divided at the popular and national levels.

The Syrian vice president said that the Lebanese would be draining national and pan-Arab forces and opening a gap in the psychological and military mobilization campaign against Israel. This is why this would must be sealed with a healing cure that will not permit a setback in the future.

He added that the positive features achieved in the Lebanese arena since the halt in the destructive war and the start of the national dialogue must be utilized in positions that lead to a process which rebuilds the state and the legitimate institutions so that all power may be in the hands of the legitimate authority and so that the people may rest assured that they live under a government that protects them, safeguards their interests, strengthens the country and leads them in the battle of liberation from the Israeli occupation.

At some meetings whose details were not published at the time, the Syrian president said that there are those who erroneously wager on regional changes and there are those who are disseminating a spirit of despair and who are weakening the hope in the possibility of overcoming the Israeli aggression. This kind of endeavor is no longer useful. Khaddam made it known before certain Lebanese figures that Syria has moved close to the goal of a strategic balance with Israel. He noted that it is very important to attain this goal but that this attainment must be bolstered at the pan-Arab level. This is why Syria will not permit Lebanon to continue to be a gap through which currents hostile to both the Lebanese cause and the Syrian cause continue to penetrate.

The Syrian vice president stressed the need to move to the legitimate security process on bases that eliminate all ambiguity among the parties concerned.

Those who heard Khaddam speak in the presence of President Amin al-Jumayyil say that the president of the republic praised the Syrian position repeatedly and even seemed as if he stood with Khaddam as a team versus the opposition team in the government.

By the time Khaddam left for Damascus after 12 hours of meetings and telephone contacts, the decisions concerning the army, the army commander and his powers had been drafted and left for the cabinet which approved them afterwards.

What is the practical outcome of all of this?

This question has been raised in the political circles that do not wish to acknowledge and to believe that the security plan on whose provisions agreement has been reached will put a final end to the military problems and will prevent the fall of more victims who will only delay the solution.



The defense policy, in the absence of a confrontation with the Israeli occupation, will be an internal security policy. This is because the cabinet, in its capacity as the Higher Defense Council, will formulate this policy and the Military Council, which is headed by the army commander, will implement this policy at the responsibility of the cabinet, i.e., the Defense Council. As for the guarantees on whose basis the army will be entrusted with internal tasks, they will be available with the presence of the officers who form the Military Council and who, at the same time, represent the parties to the government which, in their turn, represent the sects and the political parties.

Even though it has been repeatedly said that the new security plan includes Greater Beirut, those who examine the official security deployment map discover that there are defined lines for this deployment that denote deployment and crossing points which are not in conflict with other points that will remain closed until the comprehensive political solution is achieved.

Informed people say that the suburbs surrounding Beirut will remain outside the formulated plan, even though they will comply with the measures to be implemented in order to insure safe traffic on the roads and movement from area to area.

Because the Lebanese have suffered so much traveling by land and sea, reopening the airport has become an issue at the level of the issues pertaining to the country's fate. The fact is that an open airport in Lebanon, and in any other country, is the first sign of the presence of security and life in the country. With the presence of security and the airport, it is not important for the Lebanese if it is said that they live in the "republic of Greater Beirut," keeping in mind that Beirut's inhabitants are not all of Lebanon's population and that there are other areas that will continue to be denied the use of Beirut Airport because the roads between these areas and the airport are cut off. The condition of the southern area is the most evident proof of this bad and dangerous situation.

Ex-President Sulayman Franjiyah considers the Tripoli-Beirut highway the same as the Beirut-Sidon highway. As long as al-Barbarah roadblock continues to exist on the Tripoli highway, ex-President Franjiyah refuses to use it. This problem has been and continues to be one of the most significant problems causing the ex-president to boycott the regime. Recently, his boycott has reached the point of his threatening to resort to forceful opposition to the cabinet so that it may resign and may be re-formed by elements that do not include Israeli agents, as ex-President Franjiyah has said.

Karami's circles do not conceal the fact that ex-President Franjiyah's campaign is affecting the cabinet's position greatly because of the personal and political ties that continue to exist between Karami and

Franjiyah and because of the nature of the common relations between Tripoli and Zgharta. Moreover, ex-President Franjiyah is intensifying his campaign against the cabinet and accusing some of its members of dealing with Israel to embarrass his former colleagues in the National Salvation Front.

Regarding the issue of the appointment of the army commander, ex-President Sulayman Franjiyah has already nominated a high-ranking officer, revealing his name at a press conference. But the regime has not approved the nomination. This has constituted an additional problem in the dossier of the disagreement with its numerous pages and its varied complexities.

Ex-President Sulayman Franjiyah's latest position has come to eliminate all hope in the possibility of settling the issue of Minister 'Abdallah al-Rasi, who has refrained from assuming his portfolio in the cabinet as minister of interior. Moreover, this position has weakened the hope in the possibility of enlarging the cabinet to include additional elements in order to please the factions and sects that continue to complain of injustice in the present makeup.

Despite this, a prominent official source has told AL-HAWADITH that the Bikfayya agreement is considered a small solution in the dossier of the greater Lebanese crisis. However, this small solution is capable of leading to a greater solution.

The same source has said that the agreement reached enables the ministers to surpass the security complex that has been in existence and to embark on the crux of the accumulated problems for which the cabinet statement contains political and administrative solutions.

But by examining these accumulated problems, it becomes obvious to the observers that the path of this cabinet abounds with pitfalls and obstacles. If the ministers can implement some of their ministries' essential and urgent projects, then this would constitute a noteworthy accomplishment on their part. The prevalent belief is that this cabinet is entrusted to play with the lost time in the area's crisis until the time for a settlement of the regional and international accounts arrives.

While waiting for this time, the big hope continues to be confined to achieving a state of security and stability with the smallest number of victims.

#### Al-Huss: Hope for Success

London AL-HAWADITH in Arabic No 1443, 29 Jun 84 p 20

[Article by Bari'ah 'Alam-al-Din: "[Former] Prime Minister Salim al-Huss: Bikfayya Formula Is A Realistic Way Out"]

[Text] Syria has intensified its determination to implement what was agreed upon at the Bikfayya meetings between the government leaders and Syrian Vice President 'Abd-al-Halim Khaddam. A prominent minister in

Prime Minister Karami's cabinet focused the light on the Syrian tendency when he spoke to a number of deputies about Syria's serious interest in implementing the Greater Beirut security plan, hinting that means other than political means will be used with those who try to obstruct the plan.

The minister viewed what the Syrian TISHRIN and AL-BA'TH papers had published as proof of this fact, especially when TISHRIN spoke openly of the need to confront the force that stands in the face of the security plan and of the political reconciliation.

The political attention is focused now on the Lebanese Forces' position which seems to be the position most inclined to reject all decisions issued by the cabinet, including the latest security decisions.

From an endeavor to evaluate the Lebanese Forces' position toward the security measures and the political solution, it has become evident to some politicians, from their viewpoint, that the positions of the rejectionists in these forces have become weaker than what they were in the past, especially since the abolition of the 17 May accord and since the rejectionists have lost numerous cards, including three major cards which gave them in the past the power to influence positions.

The first card is the fall of the legitimacy of the wager on some sort of a relationship with Israel when the regime abolished the 17 May accord, considering that this abolition lifted the legitimate canopy covering this faction's dialogue with Israel, and when the regime turned toward cooperation with Syria to correct the situation. Thus, the Lebanese Forces are now forced to shoulder openly the responsibilities of their political wagers on any side.

The second card is the change in the direction of the Maronite decision in a manner conflicting with the Lebanese Forces' positions. This change is bolstered by the tendency of the Phalange Political Bureau, headed by Pierre al-Jumayyil, in the wake of abolition of the 17 May accord to support the president of the republic and the legitimate government free from the danger of the radicals.

The third card is the attachment of Christian public opinion, which is the same as Muslim public opinion, to any solution, even if originating in Syria, to halt the fighting and end the state of war because of the exhaustive and destructive conditions under which the Lebanese are suffering. This is a fundamental change that requires the Lebanese Forces to reconsider their political and military calculations.

The cabinet and the supporters of the security and political agreement attach special importance to the implementation of the provisions of this agreement before the end of July and to the need to persuade the Lebanese Forces in particular of this agreement for numerous reasons, including the reason connected with the Israeli occupation of the south and of western al-Biqa'.

Explaining these reasons, some ministers say that Israeli diplomacy establishes its rejection of the idea of sending the legitimate Lebanese Army to the south to replace the Israeli Army on the basis of the fear for Israel's security from the inability of the legitimate Lebanese government to impose its control over its own territories.

In their diplomatic campaign, the Israelis say: How could we be asked to leave the south to the Lebanese Army at a time when events in Beirut and the sharp political differences between the ministers prove that it is impossible to unite this army and to enable it to protect the population of Beirut and its suburbs?

The Israelis then employ this logic to justify their viewpoint of rejecting any settlement not agreed upon with the Lebanese government in direct negotiations to establish security arrangements to protect their borders--arrangements completely similar to the provisions of the 17 May accord which has been abolished by the regime.

The Lebanese ministers end up with one conclusion, namely that establishing security in Beirut, reuniting the army and putting an end to the killing and the destruction give the Lebanese government the card it needs at present to foil the Israeli pretexts and to compel Israel with logic and with international pressure to withdraw from Lebanon and to restore the south and western al-Biqa' to the legitimate Lebanese government in accordance with security arrangements agreed upon under the supervision of the United Nations or the major powers or within the provisions of the truce agreements.

The Lebanese ministers believe that the achievement of this accomplishment will constitute cause enough to demand that all the Lebanese forces stand with the legitimate government behind all the provisions of the security agreement.

In an interview with AL-HAWADITH, ex-Prime Minister Salim al-Huss has said in reply to a question on the Bikfayya agreement:

"The formula on which an understanding was reached in Bikfayya last Monday may not provide the ideal solution to the pending issues. But it does provide a realistic way out of the existing problems pertaining to these issues under the current circumstances, or at least it is hoped that it does so.

"I did not take part in the consultations that ended with the agreement on this settlement. I was informed of the outcome upon my arrival to attend the breakfast given at the conclusion of those consultations."

[Question] But what are your personal observations on the agreement?

[Answer] I will not and I do not want to turn the observations I have developed into a reason for obstructing the settlement, hoping that this settlement will provide the inlet to achieving the security we aspire for--security that enables us to move to the phase of dialogue, building and liberation.

Though I have been content with expressing my observations on this settlement and though I have not objected to it, I will not turn into a podium to defend or praise it.

In the final analysis, what will justify the settlement is its success in achieving stability and in moving the Lebanese from addressing each other with the language of violence to addressing each other with the language of reason and dialogue.

We sincerely hope that what has been agreed upon will achieve this end.

[Question] What is your opinion of the new formula projected?

[Answer] What I fault the formula agreed upon is that it leads to creating a new and very costly apparatus for which we have no dire need and which is intended to avoid any violation of the sectarian rule. I also fault it for emanating from a policy of appointment to the positions of responsibility that does not herald steering away from sectarian narrow-mindedness but rather reaffirms it, keeping in mind that we have called in the cabinet statement for abolishing sectarianism in job appointments.

[Question] Do you have, despite all this, hope for the success of the experiment?

[Answer] In these matters, I find that the decisive logic lies in the pragmatic aspect, meaning that I judge a thing by its results.

The settlement, despite all the committees it entails, is acceptable if it achieves the desired security objective, namely reuniting the army, restoring confidence and credibility to its role and preparing it to assume the security tasks efficiently and deservedly and, subsequently, establishing security and opening the crossing points and the facilities, especially the port and the airport.

The settlement will be bad if it does not achieve this. We all hope that the experiment will succeed in achieving the desired level of security and that, consequently, it will be justifiable.

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## EXPANSION OF CHAMBER OF DEPUTIES' MEMBERSHIP PROPOSED

London AL-HAWADITH in Arabic No 1441, 15 Jun 84 pp 20-21

[Article: "Karami's Government Facing Difficult Test; Constitutional Amendment Puts Political Leaders on Path of Chamber of Deputies; Edmund Rizq: Absence of Representation of Some Sects in Government Has Led to Disintegration and Collapse"]

[Text] The decision of Prime Minister Rashid Karami's cabinet to adopt the plan to increase the number of deputies from 99 to 120 deputies and to appoint the extra number and to fill the seats vacant due to death has come to put an end to a political debate that has been going on for some time on the principle of appointment and the authority empowered to take the initiative in this regard.

Prime Minister Karami has adopted this principle in the name of his cabinet through the cabinet statement he has presented to the parliamentary assembly. A paragraph in the statement says:

"Popular representation can, through increasing the number of deputies to no less than 120 deputies in a manner that insures the soundness and fairness of this representation within the framework of equal sharing between Muslims and Christians, lead to abolishing the sectarianism of representation.

"Temporarily and until it is possible to hold elections, deputies to fill the vacant and added seats will be appointed by the national unity cabinet."

The issue of appointment of deputies in Lebanon is gaining in importance day after day despite the interest of politicians, party members and ordinary citizens in the issue concerning the minimum requirements of life and security so as to get out of the hole-like refuges, regardless of the different and ailing, rather impossible, political solutions.

The idea of appointing the deputies emerged seriously under the administration of President Ilyas Sarkis but was shelved to avoid the political and sectarian sensitivities it provokes. The idea was brought up for discussion anew under the administration of President Amin al-Jumayyil.

It was crystallized further in the climate of the dialogue which had failed before its failure in Lausanne.

The main starting point for the plan has been the growing awareness of the need for arrangements that bolster the role of the Chamber of Deputies, which has lost seven of its members to death, and, consequently, that bolster the role of the constitutional institutions and enable them to stand fast in the face of one of the most serious and difficult circumstances experienced by Lebanon. Destruction of Lebanon's democratic and parliamentary role has been one of the most prominent objectives of the plot that has been engulfing the country for 10 years.

The dialogue leaders emerged from the Lausanne conference as they had entered it, without any agreement or decision on the appointment plan and with only resignation to submit to the fire of destruction that has been sweeping Lebanon.

In Paris, Edmund Rizq, a deputy and an ex-minister, called via AL-HAWADITH for the approval of a bill whose broad lines he had drawn up and which calls for appointing successors to the deceased deputies, for appointing any extra number to be added to the current number of deputies, for raising this number in the proposed settlement from 99 to 120 or 132 deputies and for dividing this number evenly between Christians and Muslims.

The bill was supposed to be presented to the Chamber of Deputies after formation of the new cabinet, had not political and chronological developments cropped up in Lebanon, compelling the bill advocate to wait until the dust raised by formation of the cabinet settles down and for the future of this cabinet to be decided either positively or negatively in a country where the conditions are changed by force from hour to hour.

In a ceaseless political debate over the principle of "appointing" deputies--a principle which imposed itself urgently under security conditions that obstruct any desire to seek the opinions of the wrathful [voters] in a free and protected election process because of the deteriorating security violations--the bases on which the bill should be put into practice have been defined.

The political debate has centered on how to entrust an individual or group of individuals with the task of performing the role of the voters in appointing deputies, despite the weightiness of the reasons dictating such an assignment.

In reply to this question, Deputy Edmund Rizq, the bill advocate, has said:

For a time, I have been pondering how to mend the crack and fill the gap developing in the Chamber of Deputies because of the absence of a number of the Chamber members--an absence which has undermined the representation balance. I have proceeded in my thinking from the acknowledged impossibility of holding elections in Lebanon at present for reasons that are no longer secret to anybody.

Between the inevitability, essentiality and necessity of restoring balanced representation and the impossibility of holding elections, I have found no means other than that of appointing substitute deputies.

I have examined article 24 of the constitution, which stipulates that the Chamber of Deputies shall be formed of elected members whose number and method of election shall be defined by the election law.

Thus, the constitution refers the matter to the law and the election law is made by the Chamber of Deputies.

The law in force in accordance with which the Chamber of Deputies was elected in 1972 is a law which has its rules.

I believe that the executive authority should not be given the power to appoint deputies because of the overlapping of powers involved and because this undermines the principle of separation of powers. This is why I believe that the deputies should be appointed in a special way and for a single term by a constitutional law, with three Maronite deputies appointed to replace President Amin al-Jumayyil, the late Tony Franjiyah and 'Aziz 'Awn, a Sh'ite deputy appointed to replace the late Sabri Hamadah, an ex-speaker of the Chamber of Deputies, a Sunni to replace the late Murshid al-Samad, three Druze deputies to replace the late Kamal Junblatt, Majid Arslan and Bahj Taqi-al-Din and a Catholic Armenian to replace the late Joseph Shadir.

I say that as long as it is evident that it has been agreed in principle to increase the number of deputies and to achieve equal sharing, then let the same occasion be used to appoint the complementary number [of deputies] and the replacements. Thus, if it is agreed to increase the number to 120 or 132 deputies, nine more Muslin deputies than Christian deputies will be appointed.

The regime will thus have the capability to appoint an adequate number of deputies and to absorb more leadership into the Chamber of Deputies.

There is a basic idea, namely that unifying the characteristic of people unifies the feeling of responsibility and unifies the rules adopted in action. When all are in the hall of the Chamber of Deputies, they act as deputies and when they are in the government, they act as ministers. Today, they must act as ministers. Nabih Birri and Walid Junblatt were deputies but now they are in the cabinet. If all proceed in their action from the feeling of responsibility, the issue will become much easier.

The same applies to the Chamber of Deputies when most of the leaderships become directly responsible and gain the quality of actual representatives as deputies in the Chamber of Deputies. I have personally felt that there is something that unites the deputies despite the conflicts that exist at times between the deputies and despite the deputies' affiliations with various political parties and circles, creeds, principles and sects. This Chamber of Deputies has continued to be an image and a model of unity and

unification in Lebanon. Why? Because there is a singleness of characteristic between its members. I do not know if it is right here to think of names. However, I have thought of some names to myself. For example, insofar as replacing the absent members of the Chamber of Deputies is concerned, Walid Junblatt can, as long as the inheritance laws have not changed and as long as they are realistic, replace the late Kamal Junblatt, Faysal Arsalan can replace the late Majid Arsalan, one of the citizens of B'aqlin from the Taqi-al-Din family of the Hamadah family can replace the late Shaykh Bahij Taqi-al-Din and ex-President Sulayman Franjiyah can personally replace his son, the late Tony Franjiyah. I believe that the ex-president's presence in the Chamber of Deputies will have its weight. If not, any person selected by ex-President Franjiyah from the honorable family can replace the late Tony Franjiyah.

As for the late Sabri Hamadah, an ex-speaker of the Chamber of Deputies, he can be replaced by his son Majid Hamadah. Antoine Shadir can replace the late Joseph Shadir. The late 'Aziz 'Awn can be replaced by his son, by one of his relatives, by Lawyers Doyen 'Isam Karam or Fayiz Qazzi.

I believe that there are in al-Daniyah traditions that can govern the process of selecting a replacement for the late Murshid al-Samad. There are numerous names qualified to replace al-Samad, including deputy Almad al-Fadil. A Phalangist official can be appointed to replace President Amin al-Jumayyil for al-Matn.

As for the new deputies appointed to raise the number to 132 deputies, I will be content here to mention names as an example, [hoping] that many of them will be selected.

For example, I believe that it is necessary to nominate Minister Nabih Birri as a deputy. The Shi'ite deputies may also include Khalil Zayn, Dr Husayn Kan'an, 'Asim Qansu, Shaykh Fadlallah Dandash, Khadr Harakah, 'Akif Haydar, Talal Fayyad, Muhammad Haydar, Shaykh Mahdi Sadiq and Samih 'Usayran. There are honorable families in al-Nabatiyah that are qualified to select deputies from among their sons.

The Sunni sect embraces excellent names which include ex-prime ministers Shafiq al-Wazzan, Salim al-Huss and Taqi-al-Din al-Sulh, Usamah Fakhuri, Ibrahim Qulaylat, Husayn al-Quwatli, Mrs 'Alya' al-Sulh, Rashid al-Muqaddam, Faruq al-Muqaddam and Muhammad B'albaki.

As for the Druze, there is Marwan Hamadah, Shaykh Fadlallah Talhuq, Bashir al-'Aridi, 'Isam Nu'man, Khawlah Arsalan, Khalid Junblatt, Sami Yunis, Shaykh Najib 'Alam-al-Din and Salah Salman.

As for the Greek Catholics, there are, for example, Dr Eli Karamah, Naji Fir'awn, Henri Fir'awn, Habib Mutran, Joseph Abu Khatir, Antoine Buraydi, Michel al-Murr and George Skaf.

As for the Orthodox sect, the names include Ghassan al-Tuwayni, Fu'ad Butrus, Ilyas al-Farzali and Charles Malik.

The Maronite names include Jean 'Aziz, Manuel Yunis, Georges 'Aql, Fadi Afram, Joseph al-Hashim, Fu'ad Abu Nasir, Shakir Abu Sulayman and Mulhim Karam.

Who is to select from among these names?

The Chamber of Deputies is the people's representative and it can promulgate laws in the name of the people. This [requires] a constitutional law. When the Chamber of Deputies legislates in the name of the people, it is as if the Chamber has held an election. What I mean is that articles 76 and 77 of the Lebanese constitution contain rules for presenting constitutional laws. An amendment can be made either on an initiative by the president of the republic and a referral by the cabinet--meaning that the president of the republic proposes the constitutional law and the cabinet refers the bill to the Chamber of Deputies--or on an initiative by the Chamber of Deputies, with 10 deputies proposing a constitutional law and two-thirds of the members seconding the proposal. The proposed law is then referred to the cabinet as an expression of a wish and the cabinet puts the proposal in the form of a bill and returns it to the Chamber of Deputies to vote on it.

Thus, the initiative is in the hands of the Chamber of Deputies or the hands of the president of the republic. A constitutional law requires three-fourths of the votes of the Chamber of Deputies' members for it to be approved.

I believe that certain principles and consultations can be followed to select the deputies. But it remains to be said that the Chamber of Deputies should be the authority that appoints the [new] deputies by name in the text of the law so that the executive authority may not be the party that appoints them and so that there may be no overlapping between the two authorities.

I have consulted on this issue with my colleague Nasri al-Ma'luf who has an interpretation and a study to the effect that it is enough to ratify an ordinary law rather than a constitutional law to appoint the deputies whereas I believe that a constitutional law should be promulgated. We have not discussed the details yet. He might be right but, initially, I believe that article 24 of the constitution requires election. But if we want appointment, then this should be done through deputation or through the deputies' representation of the people, i.e. some sort of an election performed by the deputies on behalf of the people.

I am projecting the idea now and I do not want to present such a proposal individually because the bill comes from the government. If this cabinet survives and if it is so inclined, then it can present the constitutional bill. This will be tantamount to a good start because the bill will absorb the various leaderships and will enable all the different parties to be present face to face in the same capacity and at the same level of responsibility and they will be all accountable. This new, rejuvenated or completed Chamber can be entrusted with constituent tasks instead of the Constituent Committee which the Lausanne conference decided to form and which I consider a heresy because nobody is empowered to appoint a constitutional commission. The president of the republic and the cabinet are entitled to appoint constitutional advisers. But to appoint a constitutional commission



is a heresy. A constitutional commission is appointed by the people and is the authority empowered to draw up the constitution.

I do not believe that we need a new constitution now. If there are amendments, then they should be studied within the framework of the completed Chamber of Deputies.

Further elaborating his argument, Deputy Rizq goes on to add that true participation in the government consists of bringing in the various actual and practical factions [to share the power]. There was a time when neither the Druze sect nor the Shi'ite sect were represented in the government and I drew the regime's attention to this gap which was one of the most significant causes leading to the disintegration and deterioration.

I say that if these ministers are not the actual representatives of the factions to which they belong, then it is time to bring in the real representatives. Why? Because you can only rule with the actual representatives in a case like ours.

Despite everything, I stress that I have not lost hope because you cannot lose hope in Lebanon or in the Lebanese. It may be right to say that we have lost hope in some people, in some individuals and in some methods and means. However, we not only keep our hope but also cling to our faith in Lebanon and in the genius of the Lebanese people who create ideas, salvation and miracles. The Lebanese people cannot be tied or hostage to one person, one party, one sect, one faction or one legitimate authority.

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## BRIEFS

AL-BIQA', NORTH ECONOMIC ACTIVITY--A number of commercial banks operating in Lebanon have indicated that their branches in al-Biqa' area have recently begun to experience a considerable activity which any visitor can discern. The banks have noted that the activity is almost equal in the areas of Shtawrah, Zahlah and Ba'labakk and they have expressed satisfaction with the climate prevailing in the area, expressing the belief that this activity constitutes an outlet for the strangulation experienced by the banks in the capital. The bankers have linked this activity in al-Biqa' to a number of local political developments experienced by the area--developments that have changed many of the given economic facts, replacing caution and recession by vitality and activity. The economic activity in North Lebanon is no less energetic than in al-Biqa', even though the activity here flows mainly into the import-export side of the business sector. It is well known that the activity that has been going on for years in the north and which came to a partial halt at the end of last year because of the factional inter-Palestinian clashes has now been revived. [Text] [London AL-HAWADITH in Arabic No 1441, 15 Jun 84 p 50] 8494

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DIRECTOR OF OFFICERS' INSTITUTE DISCUSSES ITS AFFAIRS

Riyadh AL-YAMAMAH in Arabic No 804, 23 May 84 pp 16-18

[Interview with Capt Muhammad al-Mushrif, director of the Officers' Institute, by Talal Khayrallah; date and place not specified]

[Text] Last week, the King Fahd Security College was honored by the presence of His Royal Highness Amir Nayif bin 'Abd-al-'Aziz, the minister of the interior, who came to celebrate the graduation of its 40th class. Then came the turn of the Officers' Institute. Yesterday, a Tuesday, it experienced the joy of the attendance of his royal highness at the celebration of the graduation of its 12th class of qualified, university-educated officers. These two occasions affirmed the constant care and attention his highness pays to the imposing edifices of security that graduate the protectors and guards of the homeland. AL-YAMAMAH used the opportunity presented by the attendance of His Highness Amir Nayif at the graduation ceremonies of the Officers' Institute to meet with the institute's director, Capt Muhammad al-Mushrif, and hold a comprehensive interview with him.

[Question] At the beginning of our interview, we asked if we might learn the goals of the institute, the method of study, and the kinds of classes held there.

The Goals of the Institute

[Answer] The goals of the institute are numerous and comprehensive. We can mention the most important ones here. One of its goals is to refine the gifts of the officers, in addition to giving them some solid training and refresh their expertise. The institute holds many classes. They can be divided into the following two groups:

There are specialized classes which officers join for work-related reasons. They are quite diverse. There are classes having to do with the field of felony crime, for example, in addition to classes dealing with narcotics, the preservation of order, the administration of prison work, police administration, etc.

Then there are the fundamental, instructional classes. These are attended by officers who are joining the military corps for the first time. There are

qualifying classes for officers with a university background, in addition to similar classes for officers who graduated outside the kingdom in diverse specializations, since all their studying is done in the field. As I mentioned before, the goal is for the training to be a continuing, developing process. We must continue the training of our officers and make them aware of every new development, instead of having them be limited to one aspect. This year, the institute was able to hold the following classes: a class in the preservation of order attended by about 22 officers; the first narcotics class, which was attended by about 17 officers; a qualifying class of university-level officers attended by 74 students; and a class in prison work attended by about 19 officers. All in all, seven classes were held this year in various fields. We here--praise be to God--constantly focus on how to do things, not on the question of how many.

#### Enrollment Conditions

[Question] Captain al-Mushrif had this to say about the conditions officers have to meet in order to enroll at the institute:

[Answer] A publication on the annual classes is published by the General Training Administration in the Public Security Department. It gives the number of classes to be held at the institutes belonging to the administration, including the Officers' Institute. Each class has certain conditions that are consistent with what is being taught. Some of these conditions have to do with the officers in the qualifying classes taught for university-level students. Each such student must have obtained his baccalaureate degree. He must be nominated by his superiors. In addition, a royal order appointing him an officer in the internal security forces must have been issued. This is the case with respect to the university-level students. Of course, he must fulfill the other legal conditions set forth in the second and third chapters of the permanent training instructions stated in administrative order number 134 on 28 June. It was issued by his excellency the director of public security. These are special security conditions that naturally apply to the persons in question.

There are some specialized classes at the institute that are attended essentially by officers who work in the various sectors. The purpose of these classes is to refine their abilities and give them heavy-duty, specialized doses of training. As for the conditions, these students must be nominated by their superiors. In addition, the class must agree approximately with his specialty. Thirdly, there must be a possibility of him attending. That is, there must be a seat set aside for him at the institute. Each time we decide to hold a class, we state the number of seats in each specialization.

We send out the aforementioned publication, which sets forth the kind of classes to be held and the number of seats in each class. The publication is sent to all the sectors, and each sector nominates whom it wants to attend the classes they want. These specializations are determined on the basis of the needs of Public Security or any other sectors.

For example, over at Public Security, they have an emergency force to combat unrest and maintain order. We think it is appropriate to have classes in the maintenance of order. Similarly, we have special classes for prison personnel from the General Administration of Prisons. There are also special classes for the General Narcotics Administration.

### There Are Other Sectors

Some sectors send their officers to attend training classes at the institute. These include all the police directorates in the kingdom as a whole. We also cooperate with many other military sectors, such as civil defense, the border guard, passport control, the internal security forces, the King Fahd Security College, the ground forces, the naval forces, the air force, and the Military Cooperation Administration.

For example, we held a class in narcotics that was attended by officers from the air, land, and sea forces, as well as the National Guard. In addition, there were officers from the security sectors, because this problem--unfortunately--has begun to have some small effect on society. These personnel are being prepared by all the sectors to confront and eliminate this phenomenon. They are being trained in the methods by which they can eliminate it, if it should spread within their sectors, may God forbid. How can they combat it as administrative agencies unless they are taught the necessary information and trained in the right methods through these classes? Sometimes the institute does not stick to public security. Instead it meets the needs of the Ministry of the Interior and the other military sectors.

### The Training Programs

[Question] Captain al-Mushrif told us the following about the training and instruction programs at the institute:

[Answer] We have a special department for instruction that prepares both studies and the curricula for each class. Then there are the materials that are issued in the publication, which the department writes and then sends to all the sectors. These materials offer a complete statement of the conditions and acceptance criteria for each class, with respect to rank, qualifications, period of service, and related considerations.

The determination of the places open to each sector falls within this. I will not hide from you the fact that Public Security gets the lion's share of these classes, since it is directly tied to the institute. On the basis of this complete study of each class, one can get a picture of the instructional method. There are two kinds of programs:

There are specialized programs having to do with ordinary military subjects. In addition, there are cultural programs, which are designed to increase the abilities of our officers in certain fields, such as Islamic culture, the English language, and self-defense. The specialized programs deal with subjects like criminal investigation, duties, weapons, and the purely military sciences.



These subjects are taught to those enrolled at the institute by the teaching faculty, which consists of elite teachers from our Saudi universities, in addition to some officers specialized in certain fields.

#### The Graduates...and the Students

[Question] Concerning the number of students currently enrolled, he had this to say:

[Answer] Yesterday, we celebrated the graduation of about 70 university-level officers under the guidance of His Highness Amir Nayif bin 'Abd-al-'Aziz, the respected minister of the interior. It was very generous of his highness to attend, and we who work at the institute are proud to have had him come. there are now about 27 officers in the narcotics class, and they will be graduated at the end of this month, if God wills.

#### The Participation of Arab States

[Question] A question was posed to Captain al-Mushrif concerning the extent of cooperation and participation in training between the institute and Gulf and Arab states that engage in friendly competition with Saudi Arabia. He said:

[Answer] Praise be to God, there is some cooperation. A class was held at the institute in which a group from about 23 brother Arab countries took part. It was in the field of forgery and falsification. This class in particular was under the supervision of the Arab League. Some 14 of our own trainees took part in it, while 20 from abroad--that is, from among our brother Arabs--took part as well. It was the second class of its kind to be organized. In the earlier class, the students from abroad represented 13 brother Arab countries. Among the countries taking part were Kuwait, Iraq, Jordan, Egypt, Morocco and Tunis.

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CSO: 4404/505

FINANCE MINISTER PREDICTS END OF GIANT PROJECTS, DROP IN DEFICIT

Riyadh TIJARAT RIYAD in Arabic No 268, Apr 84 pp 7-10

[Interview with Muhammad Aba-al-Khayl, minister of finance and national economy, by Mustafa Sadiq Darwish: "The Huge Projects Will End This Year, and the Agreement Will Change. The Deficit Will Shrink!"]

[Text] This year's general budget is an extension of the budgets of the previous 4 years.

The considerations that were observed in the preparation of these budgets have had a concrete effect by supporting the national economy and causing its structure to change. In addition, they have caused the citizens to participate to a greater extent in development, the realization of social affluence, and the augmentation of economic and administrative effectiveness.

In fact, the economic indicators have affirmed the positive character of the measures the kingdom has instituted in order to contain the drop in oil prices and production and shift spending from basic infrastructure to the development of the productive sectors. The participation of local businesses in the real gross national product's non-oil sectors has gone up. Investment opportunities inside the kingdom have become diverse, broad and capable of giving a good return. Thanks to guarantees and protection from both commercial and non-commercial dangers, a large portion of the funds that were invested abroad have returned home to enjoy these advantages. These facts were confirmed by His Excellency Prof Muhammad Aba-al-Khayl, the minister of finance and national economy, in a private interview he gave to TIJARAT RIYAD. In the interview, he concentrated on the features and indicators of the state's general budget. In addition, he dealt with what it has provided for the citizenry and the kind of spending that must be done in order to support the national economy.

[Question] What can we say to the average citizen, who is not a specialist, in order to inform him with regard to the general budget?

[Answer] Simply put, the general budget is an expression of what the state expects to take in in terms of revenue from all sources, from oil revenues to customs duties, Zakat tax revenues, and money from the sale of postage stamps. In addition, an estimate is made of what the government will spend in each and

every sector, from the salaries of individual employees to the simple administrative expenditures of government agencies and the costs incurred by the programs the government finances, which are not supposed to exceed a certain limit. Then there are the funds that will be spent for each project during the fiscal year, that is, the budgetary year. Thus, the budget is a detailed program containing every riyal the state has and every riyal it will spend, from the first day of Rajab to the last day of Jamada al-Thaniyah. If something happens that makes it necessary to change something, be it an increase, a decrease, or the transfer of a sum from one kind of expenditures to another, then the matter is discussed first in the Ministry of Finance. Then the necessary decision is made and the statements are changed accordingly.

[Question] What are the most important basic features of the state's general budget for the year 1404/1405 AH?

[Answer] One of the basic features of the state's general budget for 1404/1405 AH is the shift from expenditures on basic infrastructure to spending intended to develop the production sectors of the economy and improve the services provided to the citizens in the fields of education, health, social and local services, housing, and utilities. These features will continue to be prominent in the coming years, if God wills.

[Question] What aspects have been confirmed by the state's general budget with respect to the economic development plan, which is continuing despite the existence of a deficit in the budget? The deficit is being financed from the general reserve. Can the reserve be used to support the plan's goals instead?

[Answer] The public budget for fiscal year 1404/1405 AH is considered an extension of the budgets of the previous 4 years, since this year is the last year of the third 5-year development plan. The plan aims to achieve three fundamental goals: the introduction of a change in the structure of the national economy, an increase in the participation of the citizenry in development, and the realization of social affluence, coupled with an increase in economic and administrative effectiveness.

[Question] What does the general budget offer the citizens in the form of public and private services?

[Answer] The entire budget is intended to serve society. As far as services go, the budget provides the funds for opening the schools in which the children of the citizens will study, in addition to housing loans with which they can build their homes, the salaries of physicians, the cost of the medicines the hospitals offer, and the cost of the industrial, agricultural, and social loans offered to the farmers, industrialists, importers, producers, consumers, and owners of hotels, instruction facilities, health centers, and other local facilities. It also contains the social security and care payments that are made to those who are in need and suffer want. It also pays for services in the areas of water, electricity, drainage, telephones, and communications and transportation networks in the form of roads, ports, airports, and communications. In general, the financial policy of the government attempts to assure employment opportunities, stimulate production, and give a pleasant life to

the population in general in a society dominated by security and prosperity in light of our noble Islamic law and the traditions and moral values of Saudi society. This is to be done by providing both direct and indirect services on a good, developed level and by developing the economic and productive resources of the national economy. In addition, national capital must be formed by executing capital projects and development programs, in addition to reinforcing the defense of our country and continuing the process of strengthening internal security and social stability.

[Question] What does it mean to say that the amount of money allocated to education is equal to more than half that allocated to the military sector? What does it mean to say that the development funds will continue to make loans at the same rate?

[Answer] The development of the country's human resources has priority, since they are considered the basic element needed to achieve the fundamental goals of our development strategies. Moreover, at the same time, they are considered the goal of these plans and programs, which aim to make people happy and prosperous. The allocations given to education and training reflect this fact.

[Question] As this budget is being issued, what is the state asking for from the citizens of Saudi Arabia in terms of their behavior in the areas of spending and investment?

[Answer] The citizens in the government sector must be committed to the duties and responsibilities of the offices they occupy. They should work to achieve the tasks assigned to them in the correct manner. In the national sector, the citizens are called on to exploit every area of work and production and profit that has been opened up to them as a result of the programs and large incentives provided by the government on the various economic and social levels and to the people, generally, according to their financial, administrative, and technical abilities. The national sector has taken the initiative in exploiting these opportunities by entering areas of investment and production and creating working capital in the various economic sectors, especially the fields of agriculture, industry, services, and construction. The noticeable increase in the participation by the national sector in the real gross domestic product for the non-oil sectors is a cause for happiness and optimism. It rose from only 25 percent in 1393/94 AH to about 52 percent in the 1403/04 fiscal year. It is hoped that this development will continue. Of course, it requires that the citizens control their expenditures, develop their savings, and place them at the service of economic development in their country. By so doing, they will both strengthen the national economy and realize good additional income.

[Question] In light of the new budget, what is the role of the national sector, now that the state has just about completed the basic infrastructure projects?

[Answer] The national sector in this country possesses a free economic system. As I have already said in response to the last question, it has a major and

basic role to play in developing the national economy and forming productive capital by using the available opportunities provided by the state, be they basic infrastructure projects or productive investments that benefit all.

[Question] Is it expected that the national sector will put more into development investments, now that 20 billion riyals have been returned to the country?

[Answer] There is a lot of money inside the country. The reference to the return of some funds does not mean that development is dependent on them. However, it is natural for this money to return, because the investment opportunities inside the kingdom are diverse and broad. In addition, they possess excellent returns and enjoy protection and insurance against commercial and non-commercial dangers. Such protection is rarely available in other countries. Therefore, the return of national capital from abroad and its participation in increasing agricultural and industrial investments is a natural result of what has been mentioned previously.

[Question] What is the meaning of the fact that the rate of inflation fell from 4 percent last year to 0 percent this year? In addition, the cost of living index fell by .5 percent, despite the unstable economic circumstances that pertain internationally.

[Answer] The stability of prices and their moderate level are considered healthy signs that strengthen the gains of development, preserve the savings of individuals and families, and increase their real income. They also help to expand investment, because businessmen know how to plan their investment strategies. In addition, the decline in the inflation rate and in the cost of living index reflects the moderate character of profit margins, the increase in competition, the decline in production costs, and the reduction in speculation.

[Question] Is the banking apparatus working to increase financial opportunities for the national sector, now that the magnitude of bank deposits has risen by 5.3 percent?

[Answer] This is the aim of the government's monetary policy. The Saudi Arabian Monetary Authority (SAMA) has been taking steps and introducing incentives that stimulate this trend. Last year, the loans provided by the commercial banks to the national sector increased by about 18 percent in comparison with the previous year. This increase helped to provide the monetary liquidity needed for national activities. It is hoped that the increase in bank deposits will lead to increased participation on the part of the banks in financing private sector projects.

[Question] What economic indicators show the positive character of the tools being used by the kingdom to contain the drop in oil prices and production?

[Answer] One of the positive indicators we have seen in this area has been the noticeable increase in the output of goods and services. This is especially true with regard to agricultural and industrial output, which has



begun to fill a larger portion of the country's needs. Our basic infrastructure and utilities are being completed. Their character and their very size have made it necessary to concentrate huge sums of money early on. This has been especially true of the electricity sector, communications, housing, ports, airports, water purification, roads, the projects built by the Royal Commission for Jubayl and Yanbu', and the other basic utilities. Perhaps this in and of itself can be considered one of the most important factors that will help to overcome the decline presently occurring in oil prices and exports. In addition, some of the export projects in the basic and hydrocarbon industries in al-Jubayl and Yanbu' have begun to produce, while some others are on the verge of beginning operations. Moreover, world demand for petroleum is expected to stabilize. The drop in demand will stop as a result of the economic recovery in the industrial countries. It has also been decided to stabilize the kingdom's imports of goods and services. They will hold steady because of increasing local output and the completion of the big projects.

[Question] Is it to be hoped that the deficit can be reduced in the future by decreasing the value of imports and increasing exports? What evidence exists that this is so?

[Answer] The majority of the giant projects will be completed by the end of this year. Consequently, spending will change. Consequently, it is to be hoped that the current deficit in the state's general budget will be reduced.

In conclusion, the answers that His Excellency Prof Muhammad Aba-al-Khayl, the minister of finance and national economy, gave with ease and concentration have clarified the features of financial and economic policy in light of the state's general budget. They affirmed that the state is following the right road toward the realization of the plan's basic goals. These goals are to change the structure of the national economy, to increase the participation of the national sector in development, to achieve social prosperity and to increase economic and administrative efficiency.

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CSO: 4404/505

NEW ECONOMIC PROJECTS APPROVED

Riyadh TIJARAT RIYAD in Arabic No 268, Apr 84 pp 38-39

[Article: "98 Industrial Projects Have Been Licensed During the Second Quarter of This Year"]

[Text] A total of 97 industrial projects have been approved by the Ministry of Industry and Electricity during the second quarter of this year, 1404 AH. The total amount of money that will be invested in these projects is 1,455,600,000 riyals. In addition, there is the Ibn Hayyan project, which will be executed by the Saudi Basic Industries Corporation (SABIC) in cooperation with a foreign partner. The project will produce basic plastic materials. Total investment in the project will be 1,461,000,000 riyals.

This information was announced by the undersecretary of the Ministry of Industry and Electricity for industrial affairs, Dr Fu'ad 'Abd-al-Salam al-Farisi. In a statement to the Saudi News Agency, he called on all those who obtained industrial licenses to execute their projects rapidly, so that their output will contribute to the construction of a national industrial infrastructure that will achieve affluence and good for our dear country, with this guidance of our inspiring Islamic law. This will also take place with the instructions of his highness, our dear King Fahd bin 'Abd-al-'Aziz and his excellency, the faithful heir to the throne. In addition, there will be continuous follow-up by his eminence, the minister of industry and electricity, Eng 'Abd-al-'Aziz al-Zamil. Dr al-Farisi also called on the investors to continue to choose industrial projects that have the preconditions for success and whose construction will relieve the kingdom of the need to continue importing various goods.

The undersecretary of the Ministry of Industry and Electricity for industrial affairs noted that mineral industries and the manufacture of electric devices predominated among those that received industrial licenses during the aforementioned period. Some 30 projects of this type received licenses, meaning that they accounted for 31 percent of all the projects approved. Among them were projects for manufacturing steel wire in lengths ranging from 6 feet to 16 feet. Their financing amounts to 102.9 [as published].

Their total financing is 78 million riyals [as published]. There are other projects to compact scrap iron after it has been screened, in addition to making jewelry. Total financing for these projects is estimated to be 39.6 million riyals.

Dr al-Farisi explained that the other projects in the mineral industries and electronics group will manufacture such projects as fire detection systems, medical needles, and heat exchangers, in addition to electric hot water heaters, mechanical hinges to prevent leaks, riffled and colored sheet iron, trailers, dumpsters, nails, metal containers, cast iron projects such as observation openings, pipes, and suspended ceilings, aluminum doors and windows, frames, girders, and metal frames. Dr al-Farisi point out that industrial projects having to do with food rank second. The number of projects of this type that has been licensed is 23. The total amount of financing in these projects is 389.2 million riyals. He noted that they include four projects for packaging dates, in which 58 million riyals are being invested, as well as four raw and pasteurized milk projects, in which 38 million riyals are being invested. Then there are four poultry fodder projects which are getting 139 million riyals worth of financing. Finally, there is a juice project, which is being financed with 42 million riyals. And there are still other projects.

According to Dr Fu'ad 'Abd-al-Salam al-Farisi, the chemical and plastic industries rank third in terms of total capital invested, which amounts to 366 million riyals. The number of licensed projects of this kind is 23 for this period. In addition, there is the Ibn Hayyan project, which SABIC will execute in cooperation with (Clay) Corporation, Ltd. and (Laki) Goldstar, both of which are Korean firms. This project will produce certain basic plastic materials known as S.M. and P.V.C. The funds to be invested in it total 1,461,000,000 riyals. Dr al-Farisi pointed out that the other projects of this type include a plant to manufacture alkyl-benzene. Its capitalization is estimated to be 92 million riyals. There is also a project to produce organic fertilizer from garbage. Its capitalization is estimated to be 25 million riyals. Another project will produce aural and video tapes. Its capitalization is estimated to be 36.5 million riyals. Another project will produce plastic extension pipe. Its capitalization is 38 million riyals. Another project will produce veterinary medicines. It will be capitalized at 21.7 million riyals. Still another project will make flax seed oil for industrial use. It is being financed with 22.8 million riyals.

The undersecretary of the Ministry of Industry and Electricity for industrial affairs noted that fourth placed was occupied by projects producing building materials and glass. Such projects account for 7 percent of all those approved during this period. There are seven projects of this kind, and the total financing for them is 70.3 million riyals.

Dr al-Farisi explained that the most important products made by projects of this group are red brick, cement layers strengthened with fiber glass, and decorative wall tile made from white cement. In addition, there are four projects for manufacturing cement blocks. They will be set up in areas in which no such factories have been approved before, since their construction and building activities have need for such blocks.

He noted that the weaving and ready-made clothing industries ranked fifth, since they had obtained 6 percent of all the permits. Six such industrial

projects, with a total of 52.1 million riyals worth of financing, have been approved. These factories will produce carpeting, ladies' robes, protective clothing for industrial purposes, cloth used in curtains, and socks.

Dr al-Farisi pointed out that licenses were granted to nine other projects in other industries. These projects represent 9 percent of all the licenses granted. Total financing for them amounts to about 89 million riyals. These projects will produce leather goods, wooden furniture, and computer models. Dr al-Farisi pointed out that the kind of licenses granted shows that Saudi investors are continuing to diversify their investments. This indicates increasing awareness with regard to investment among the citizens of the kingdom. It also shows that they are ready to assume possible investment risks. He also affirmed that this kind of readiness needs to be exerted to a greater degree in order to insure the success of any project.

The deputy chief of the Ministry of Industry and Electricity for industrial affairs pointed out that in the same period, the ministry agreed to the expansion of 12 factories involved in various industries. These factories had reached the limit of their authorized productive capacity. They had demonstrated reasonable budget and final accounts, as well as good administration and a capacity to market their output well. Thus, the ministry does not hesitate to allow such expansion, since it will lead to further improvement in the situation of the project concerned.

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# LEFTIST PAPER ENVISIONS POST-KHOMEYNI UPRISING

Athens ANDI in Greek 6 Jul 84 pp 28-29

[Article by Viki Tsiorou: "Khomeyni's Death: Dawn of the New Iranian Revolution"]

[Text] One of the results of the continuing reality of the Iran-Iraq war is that it has overshadowed another newsworthy fact which is the struggle for the overthrow of the Khomeyni regime. The developments at the front, the expansion of the war to the Gulf area, the possibility of a NATO intervention to ensure freedom of navigation, the concentration of about half a million Iranian forces along the border across from Basrah, and the new massive Iranian offensive which has been anticipated since the beginning of June, have almost monopolized the attention and interest of observers during the past few months. In spite of the fact that these developments give rise to a climate of instability and fluidity which brings into question the overthrow of the regimes in the area, there is very little discussion about the present prospects of the anti-Khomeyni struggle in Iran. From most of the analyses prepared on this subject, one can gather that organized popular revolutionary forces in Iran have been completely destroyed and that each factor of resistance has been drowned in the terrible bloodbath affecting this country. In general, it is tacitly admitted that the regime of the Islamic Republic has ensured for itself, five years after its establishment, a minimum of stability and operationality which allow it to face the future without any great concern.

Once again today we can see how erroneous this impression can really be, as it becomes clear that the fate of the Khomeyni regime is inextricably tied to the outcome of the Iran-Iraq war. As it becomes increasingly obvious that the regime is neither in a position to win the war nor to end it on its own terms--a war that presently deprives the Iranian army of any active political will--critical questions about the future of the oppressed Iranian people are gradually surfacing.

What is the degree of the regime's popular acceptance? How effective are the regime's power and the infrastructure of the Islamic Republic? What is the depth of the regime's leadership, or in other words, how long can it hope to keep the reins of power without the Ayatollah? The answer to these and a host of other questions is the necessary precondition for



the outline of policies and strategies by the revolutionary organizations struggling within and without Iran for the overthrow of the Khomeyni regime. Always present, these very questions are now assuming a character of actuality as the signs of paralysis in the decision-making apparatus at the highest echelons are proliferating.

According to reliable information, the regime's elite is divided over how to continue managing the war. This division has turned into a personal dispute between Ali Khamene'i, the country's president and Hashemi-Rafsanjani, the president of the Majlis who is considered to be a Khomeyni man par excellence. Besides the fierce power struggle between the two, the main disagreement centers on the validity of the new massive offensive now being prepared by Iran. The recent agreement achieved under UN sponsorship for the cessation of attacks against the civilian population has complicated matters further since Rafsanjani has accused his rival of treason for having accepted the UN moratorium. According to the same information, Khamene'i opposes the launching of a new offensive in the belief that it will be too costly in human lives without, for that matter, ensuring a final victory. In his view, the best tactic would be to use the threat of an offensive launched by half a million soldiers as a means of pressuring Iraq into a humiliating agreement. Both he and the group around him fear that a new failed offensive would have lamentable domestic political consequences.

On the other hand, Rafsanjani seems to believe that a military victory is within the realm of possibility of the Iranian army. Moreover, he is willing, like Ayatollah Khomeyni, to overthrow Saddam Husayn at any cost. The dispute and disagreement on this subject has taken such dimensions that it acts as a paralyzing factor on all decision-making levels. Still another element that plays a key role in delaying the new offensive is the unwillingness of the army leadership to attempt to enter Iraq without having first ensured its supply lines. Thus, the regular army has taken Khamene'i's side, compounding even more the immobility and the paralysis.

Thus, it is obvious that in the context of such instability, the views of the Mojahedin--the principal revolutionary organization at this time struggling for the overthrow of the regime--acquire special importance. The present leadership's character and contradictions, the possibilities for future developments and the tactics and strategy for its overthrow are the focus of Mojahedin's analyses.

Let us, for a moment, review the basic points of these analyses. Despite its five years in power, the Islamic regime has been unable to create an administrative apparatus that could make for its smooth functioning without the continual intervention of the Ayatollah, even when it comes to small details of everyday life. This is where the regime's greatest weakness rests.

"Khomeyni's role is to balance the internal contradictions within the regime. In other words, he must maintain an even balance between the various warring factions of the regime and avoid a polarization within the governing elite. Thus, Khomeyni's role is absolutely a decisive one. Whenever he gets out of politics for a few weeks, all political activity within the governing elite comes to a halt and his absence produces a tremendous increase in factional infighting. Further, he is the very soul of the regime and provides irreplaceable guidance for the powers of repression which, through the use of violence, are able to keep the people's wrath in check. The regime is unable to organize its military and police forces. Consequently, they only function on the basis of Khomeyni's religious decrees." [Excerpt from IRAN LIBERATION published by the Federation of the Muslim Iranian Students Abroad, an organization which supports the Mojahedin]. It is on this ascertainment of the regime's character and its absolute dependence on the person of the dictator that the Mojahedin are basing their predictions for future developments and their own strategy. From a political standpoint, Khomeyni's death ought to be considered as the end of the regime. Because of its absolute dependence on one man and the instability to which it has been condemned by the armed resistance whose greatest achievement was Ayatollah Beheshti's murder on 20 June 1981, the regime will be unable to survive Khomeyni. The Imam's death will inaugurate a period of extreme confusion for the regime, and of extreme readiness for insurrection by the people. This is precisely the period that ought to be exploited by the revolutionary forces in order to provoke a popular uprising and to provide an orientation toward advantageous goals. As the Mojahedin indeed specify, the reason is that Khomeyni's death will not per se and automatically provoke a popular uprising and neither will the post-Khomeyni period of paralysis last indefinitely.

How then do the Mojahedin see their role during the post-Khomeyni era? "A general uprising means that the political and military power of the regime will be destroyed, to be replaced with a nationalist and popular regime. No time should be lost after Khomeyni's disappearance. This is of utmost importance. All of our energies should be directed toward organizing the uprising.

The forces of resistance should deal decisive blows to the foundations of the regime, while simultaneously calling the people to rise and reinforce its ranks. A decisive element for the defeat of the regime's forces of repression will be the organization of simultaneous uprising in various cities and areas of the country."

To be sure, the Mojahedin do not overlook the decisive role that will necessarily be played under such circumstances by the stance of the regular army and above all by the clergy. "We should make use of all available means in order to attract the active support of all pregressive clergy and the military during the new Iranian revolution. The members and supporters of the Mojahedin within the armed forces must call upon all patriots in the military to join the forces of the (new) revolution for the establishment of a provisional government that will replace the present regime."

In substance then the Mojahedin are in a period of active participation while preparing for future conditions and improving through daily struggle the positions that will allow them to take the best possible advantage of the historic opportunity that the Imam's death will provide for the Iranian people. The future will tell whether their hopes, that are also the hopes of millions of people, will be realized.

CSO: 3521/320

KHO'INIHA DISCUSSES FORTHCOMING PILGRIMAGE, SAUDI ATTITUDES

Tehran ETTELA'AT in Persian 12 Jul 84 p 3

[Interview with Hojjat ol-Eslam Musavi Kho'iniha, imam's representative to the hajj and pilgrimage organization, by press, radio and television; date and place not specified]

[Text] In a press, radio and television interview, Hojjat ol-Eslam Musavi Kho'iniha, the imam's representative to the hajj and pilgrimage organization, explained his views concerning the procedure of the political-worship hajj organization this year.

The Results of the Joint Hajj Seminar

He first referred to the results of Thursday's joint seminar of the selected officials of the hajj caravans for 1984 and said: In accordance with the plans of the first phase of the seminar, the selected officials of the hajj caravans for 1984, made up of the managers, clerics and supervisors of the caravans, first benefitted from the statements and speeches of religious and political personalities concerning the authentic positions of Islam regarding the hajj. It was very important for them to become familiar with the positions of the top personalities of the country in connection with the hajj pilgrimage. Then they engaged in discussions and exchanges of views in the meetings of the three committees--the supervisors, clerics, and managers--in regards to the duties conferred upon them. On the whole, these three sections carried out their task well.

He then referred to the importance and the role of the seminar in carrying out the hajj pilgrimage ceremonies correctly and said: The holding of this seminar has been unprecedented in our country. And this is the first time that such a country will send such a number on pilgrimage to the House of God. It is clear to everyone that it is no simple task to make preparations for 150,000 persons to go, stay, and return.

He added: The pilgrimage to the sacred House of God, in addition to the worship and hajj services, will have special programs on

various occasions, speech sessions, and political-religious gatherings in Ba'theh. Obviously, to carry out this program for 150,000 persons requires advance planning. We held the joint seminar of the selected officials of the hajj caravans for 1984 solely to carry out this important task and organize our programs. He then praised and thanked all the religious and political personalities and those who provided explanations and guidance with their statements and speeches to the officials of the caravans.

#### New Decisions

The imam's representative to the hajj and pilgrimage organization referred to the most recent decisions in regards to carrying out the hajj obligation as correctly as possible and said: Decisions concerning the preparations for and the needs regarding the 1984 hajj pilgrimage have been made beforehand. This year, the hajj organization has been very successful; the domestic and foreign propaganda affairs have been carried out to a great extent; and no changes have been observed in our present policy. Hojjat ol-Eslam Kho'iniha then referred to the positions of Saudi Arabia and said: Due to its past experiences, Saudi Arabia was careful from the beginning to cause little disruption and the first delegation dispatched to Saudi Arabia returned with relative success and without problems.

He added: The mass media of some countries have fueled a report that in order to compensate for its conflicts with Iran, Saudi Arabia intends to agree to the presence of 150,000 Iranian pilgrims, which is not at all true. The issue of the presence of 150,000 persons was raised earlier. In this regard, the number of persons has been determined by the Islamic Republic. Essentially, decisions concerning the number of pilgrims rests with the country sending them and Saudi Arabia must only provide resources in keeping with that number.

In this connection, we sent a delegation to Saudi Arabia in May to make preparations. However, despite the fact that much of the work has been carried out, problems still exist as a result of the lack of complete familiarity on the part of some of the minor officials of Saudi Arabia. It is unlikely that the first-ranking officials of Saudi Arabia would create problems contrary to the agreements signed.

He added: The supervisor of the hajj and pilgrimage organization of our country recently held a meeting with the ambassador of Saudi Arabia in this regard, during which the instances of the agreement not being carried out were brought up and he was asked to carry out the complete content of the agreement.



## Pledges of Iran and Saudi Arabia

In regards to the pledges of both sides signing the agreement, Hojjat ol-Eslam Kho'iniha said: In this agreement, they cannot ask us for any pledges; essentially, the government cannot give such pledges to another country regarding its hajj pilgrims acting in accordance with their religious duties.

## The Religious Duty of the Government

Concerning the untrue reports by the mass media, the imam's representative to the hajj and pilgrimage organization said:

The government is religiously bound to provide the resources for the travel of the hajj pilgrims to the best of its ability. If the government of the Islamic Republic is able to send 160,000 persons and only sends 150,000, preventing the travel of 10,000, it is religiously responsible and must answer to the remaining 10,000 persons.

And it is proper to announce to all that sending 150,000 pilgrims to the House of God is the religious duty of the government. Then, referring to the existing problems and the war conditions of our country, he said:

The mass medias of global oppression apparently know that the people of the various strata of our country are not terrorists. If 150,000 pilgrims who have not been selected by the government are terrorists, then all Iranian people are terrorists.

The Islamic Republic has frequently declared that it does not intend to take over any country and it will essentially export the revolution by exporting the true values of the revolution to other countries of the world and not through noise, riots, and chaos.

A revolution occurred in which a people's republic pushed aside the cursed regime of the past with a movement and brought a desired regime to power. Essentially, our aims in Saudi Arabia are much higher than the value of such a country. What we have to say there concerns the Islamic world's equality with and resistance against the oppression of the East and the West. In the pilgrimages of the past years, we have never shouted slogans against the government of Saudi Arabia. Our presence there and what we will say there will be the heartfelt statement of the oppressed Muslim masses.

Our problem now is not Saudi Arabia, but oppression. If we aim at the main enemy, the dependent regimes will fall automatically.

## Propaganda of Foreign Organizations

In the area of equalling the foreign propaganda of global oppression, he said: Against all this propaganda of oppression, our propaganda resources are insignificant, but our action in Saudi Arabia last year was the greatest weapon to neutralize this propaganda. The hajj pilgrims of other countries saw that we were victims of beatings by the law enforcement agents of Saudi Arabia. We have a just statement on the basis of Islamic teachings and our religious duty is to obtain our rights.

He added: This propaganda will have no ill effects. Of course, we must try to neutralize even this much propaganda with the explanations of the scholarly and religious personalities of our country.

The imam's representative requested of our country's hajj pilgrims that they prevent the propaganda of the mass media of oppression through their revolutionary actions and said: Instances which have occurred involving our hajj pilgrims have mostly been due to their ignorance and lack of information. If the counterrevolutionaries in Saudi Arabia intend to create a bad name for the Islamic Republic through their plans and these issues do not please the officials, the responsibility for the consequences of these actions rests with Saudi Arabia.

And if the government of Saudi Arabia allows a publication in Persian against the Islamic Republic to be published there, we shall also engage in publishing a newsletter in various languages which will include the injustices of the government of Saudi Arabia.

## Rejection of the Consumer Culture of Hajj Pilgrims

In regards to the spread of the mutilated colonial culture of consumerism in the hajj pilgrimage, he said: Our hajj pilgrims must note that we have suffered much deprivation thus far. Now, we must try to consider the restrictions on the purchase of goods on the hajj pilgrimage as one of our country's present limitations and prevent the purchase of goods which send all their profits to the capitalist world. We hope that Iranian and non-Iranian pilgrims will revitalize and keep alive the social spirit of the hajj pilgrimage with their actions.

10,000

CS0: 4640/314

DEPUTY COMMERCE MINISTER ELABORATES ON IMPORTS, EXPORTS

Tehran JOMHURI-YE ESLAMI in Persian 19 Jul 84 p 9

[Interview with deputy minister of commerce by IRNA; date and place not specified]

[Text] Before a clear foreign trade bill is ratified, the existing problems can only be solved on a temporary basis.

Last year, 224,348 tons of non-petroleum goods at a value of 30,855 million rials was exported, of which 46 percent involve the export of pistachio nuts and carpets.

During the first six months of the current year, commerce agency offices will be established in Turkey, Germany, England, India, Japan, and Dubai.

In an exclusive interview with IRNA, the deputy minister of commerce explained the foreign trade policy of our country, the level of importation of goods from foreign countries, the increase in the exportation of non-petroleum goods, the issuance of trade permits, the establishment of trade agencies abroad, and the entry of goods by the Iranian workers who reside in the sheikdoms of the Persian Gulf region.

First, referring to the basis of the foreign trade policy of the country, he said: The political goals of the Islamic Republic of Iran in connection with the foreign trade policy are to strengthen and aid the political independence of the Muslim and oppressed countries of the world and strengthen the stability of the foreign policy of the Islamic Republic of Iran.

Concerning the economic goals, he pointed out: Responding to the correct consumption of the society, providing for the shortages resulting in production limitations from foreign markets towards true self-sufficiency, the export of goods and domestic

commercial services, striving to be free of the export of single production products, offering economic help and support for the Muslim and oppressed countries of the world, the establishment of a common market of Islamic countries, strengthening the financial and currency capability of the country, paying attention to the balance between petroleum and non-petroleum exports, absorbing the necessary technology appropriate to the present conditions and the situation of Iran, and making use of the trade services of the Muslim nations make up our aims in connection with foreign trade.

He then enumerated the cultural aims of the foreign trade policy as making use of the technical and professional trade of the Third World countries, informing the people of the world, especially the oppressed countries, of the moral and cultural foundations of Islam, maintaining a presence on the world scene, and presenting Islam as the only response to the material and spiritual needs of the present society in crisis, and added: In implementing this policy, during the past six months, major agreements have been signed with Syria, Pakistan, Turkey, India, China, Hungary, Poland, Spain, and other countries.

In regards to the low quality of production goods as well as the high prices in the Third World and Islamic countries in comparison with those of the Western countries, the deputy minister of commerce expressed hope that with the expansion of relations between these countries, making use of the relative advantages of each other, and the exchanges of information and technical knowledge, this problem will also be gradually resolved.

The deputy minister of commerce then spoke on the reason for not dealing with the applicants in the area of the import of goods on an equal basis and said: The bill on the procedure for the implementation of foreign trade has been under discussion for more than three years and at the present time, its fate is not clear. If the goals of this bill are clarified, it can provide form to foreign trade relations and also determine the necessary regulations to implement the law. Unfortunately, at the present time, the Ministry lacks such regulations. Until this bill has been given its final ratification, the existing problems can only be solved on a temporary basis.

Then, referring to the level of imports and exports of non-petroleum products and pointing out that the exports of the country last year have been estimated at about 224,348 tons, at a value of 30,855 million rials, which, compared to the final exports of the period 21 March 1982-20 March 1983--that is, the export of 162,381 tons of goods at a value of 23,882 million rials--indicates an increase of 38 percent in volume and 29 percent in value, the deputy minister of commerce said: The

increase in the export of pistachio nuts and hand-woven carpets has greatly affected the increased the exports of the country during the period 21 March 1983-20 March 1984, the share of these two items being 46 percent of the value of the non-petroleum exports of that year, which were low compared to the periods 21 March 1981-20 March 1982 and 21 March 1982-20 March 1983, indicating an increase. But, considering the activities to encourage exports during the 1983-1984 period, they were effective to some extent in halting the decrease. He pointed out: Of our imports, 20 percent are from Third World Islamic countries, 8 percent are from socialist countries, and 72 percent are from other countries. In regards to reducing imports in the current year, he said: The increase of imports which we witnessed last year indicated that some segments were storing some goods for the current year. For this reason, it was deemed necessary to revise and plan the importation of goods at the beginning of this year. On this basis, a new currency allocation was carried out, according to which, while considerations were given to the emergency conditions in the Persian Gulf and the excessive accumulation of goods in the ports, naturally, the implementation of currency allocations has been effective in the decrease of imports this year.

On the other hand, considering the level of the import of goods from abroad, the need was felt for controlling the quantity and quality of purchased goods and coordinating the trade delegations to various countries. Hence, it was determined that trade agencies would be opened abroad.

These offices will be established within the framework of the charters of the centers for the procurement and distribution of goods in foreign countries. Along with collecting trade data and information related to the level of the production of competitive goods, they will become new sellers, engage in the marketing of Iranian non-petroleum products, supervise the transportation of goods, and so on. In this connection, during the first six months of the current year, such a center will be opened in Turkey, Germany, England, India, Japan, and Dubai. In addition to working for the needs of this Ministry, they will also respond to the needs of other ministries.

Then, in response to the question of what steps the committee on reducing the import of goods from Germany has taken in regards to the economic relations of Iran with Germany and Japan, he said: The Ministry of Commerce understands the necessity of coordination in the trade and political relations between Iran and other countries, and if these countries have good, friendly political relations with us, our goal is to expand relations with them in all areas, including trade relations.



On the other hand, there is not much interest in expanding trade relations with countries with which we have no political understanding. For this reason, in order to limit imports from the Federal Republic of Germany, regardless of other issues and considering the imbalance in trade, the import committee was formed in cooperation with other related ministries. The aim of the committee is to create a balance in trade relations. Then, by the end of the current year, the exact extent of relations will be determined. In the area of trade relations between Iran and Japan, considering the positive balance which exists with that country, no special restrictions have been announced by our country.

Then, referring to the decrease of imports and the fact that the goal should be a reduction in petroleum exports and that priorities will not be the same as those which are carried out at the present time, but that the priorities will be determined with consideration for the level of restrictions, the deputy minister of commerce pointed out the procedure for the issuance of trade permits for importers: Thus far we have acted in accordance with the necessary rules and regulations for the issuance of trade permits ratified after the Islamic revolution. But after this period, certain changes in these regulations were felt to be necessary. In this regard, steps were taken to extend the previous trade permits and the issuance of new trade permits according to the new regulations which will be implemented upon the approval of the Cabinet in regards to the issuance of the new permits.

In conclusion, in regards to the goods brought in by Iranian workers in the Persian Gulf region and the fact that these goods are sold at high prices, even officially, he said: In order to protect the Iranian workers employed in the Persian Gulf and in order to offer a proposal for returning the wages for the work of these brothers to our country, a plan was prepared, according to which the importation of goods by the Iranian workers employed in the countries of the Persian Gulf region was raised by the government. Based on this proposal, every worker is allowed to import up to one million rials of goods from abroad.

He added: In the initial list of goods imported by these employees, items were found which not only were not examples of real needs of the workers in Iran, but they even had negative effects on the consumption model of the Islamic.

In addition, these items would harm the plan for the distribution of goods under the control of the government. Hence, these items were omitted from the initial list and a new list was approved.

He emphasized: If this situation continues, the list of the kind of goods imported by the employees in the Persian Gulf will be revised.

GENDARMERIE ACTIVITIES TO CONCENTRATE ALONG COAST

Tehran KEYHAN in Persian 15 Jul 84 p 3

[Text] Rasht. Colonel Kuchekzadeh, the commander general of the gendarmerie, arrived in the Province of Gilan yesterday morning, accompanied by several officials of this law enforcement organization, in order to participate in the swearing in ceremonies for the students of the sergeants' school of Bandar Anzali as well as the ground-breaking ceremonies for the residential housing for the officers of the Gilan gendarmerie region and to study the issues affecting the gendarmerie of this region.

Upon arriving in Rasht, the commander general of the gendarmerie and his companions immediately went to the graves of the martyrs of this city to pay their respects to the martyrs of the Islamic revolution and the imposed war.

This report also indicates: The commander of the gendarmerie and his companions, after participating in the morning ceremonies of the headquarters of the Gilan Region gendarmerie, visited the various areas of this headquarters.

In his visit to the Province of Gilan, the commander general of the gendarmerie said in an interview with the CENTRAL NEWS UNIT concerning the programs of this year: Educational, ideological, and military issues; operations outside and inside the borders; the fight against smuggling; providing security; and the self-sufficiency crusade are at the top of the gendarmerie programs for this year. Concerning the fight against smugglers, he said: In the course of the past three months, more than five tons of narcotics have been uncovered from the smugglers and dealers-in-death by the self-sufficiency personnel of the gendarmerie. In this connection, in addition to the number of gendarmerie brothers who were wounded, some martyrs were also offered to the Islamic revolution.

He added: To provide security and fight smugglers, especially in the east as well as on the southern coasts of our country, certain programs have been prepared, the results of which will be known in the future. Explaining the importance of the coastal regiment, he said: By creating and equipping this regiment, the efforts of the gendarmerie will be concentrated mainly on the coasts, and we hope that by the grace of God and with the efforts of our brothers in the gendarmerie, and other revolutionary and executive organizations, we will take effective steps in this area.

10,000

CSO: 4640/327

MAZANDARAN POWER DISTRIBUTION TO BE INCREASED 50 PERCENT

Tehran KEYHAN in Persian 18 Jul 84 p 25

[Text] With the electricity brought to 2,400 villages in Mazandaran, thus far, this Province has the largest number of villages with electricity in the country.

The funds for the regional electricity company of Mazandaran for this year amount to 3.69 billion rials.

To bring electricity to other villages in Mazandaran requires solving the problem of construction material, vehicles, and computers.

The electricity outreach project to 40 villages of the Province will be underway this year.

Sari. In order to increase the capacity of distribution in response to the rapid growth of electricity consumption in the Province of Mazandaran, in the course of the next year, the capacity of the 63-20,000 volt distribution stations of this Province will increase from 410 megavolt amperes to 625 megavolt amperes. The installation of these distribution stations will supply nearly half again the power of the stations existing in the Province of Mazandaran.

The director general of the regional electric company of Mazandaran made this statement in an interview and added: The above-mentioned stations will be installed to change the Daryasar-Babolsar station and create several new stations in the areas of Shirgah, Bandar Gaz, Aq-Qala, Jaddeh Hezar, Zoghal Sang-e Zir-e Ab, Ata'abad of Gorgan, Bandar Torkaman, the educational complex of Sari, the second station of Gorgan, Naharkhoran, and the second station of Qa'emshahr.

Then, referring to the 3.45 billion rials in developmental funds for the rural areas and the distribution plans of last year for

the regional electricity company of Mazandaran, of which about 1.75 billion rials was provided by the government and the remainder from the revenues of this company, he said: The funds of this company in the current year, with more than a 7-percent increase compared to the previous year, amount to 3.69 billion rials, of which about 1,812,000,000 rials were provided from the national funds. Since the beginning of this year, 22 percent of this amount has been absorbed. He added: In the rural plan for the period 21 March 1984-20 March 1985, the regional electricity company of Mazandaran has underway a project to bring electricity to 40 villages, to provide and strengthen the network of the villages with electricity in addition to completing and creating the office buildings of 14 rural service centers to provide technical services and upkeep to the customers and villages by allocating a total of 420 million rials in provincial funding and using internal financial resources.

Also, with the funds of the distribution project for the 1984-1985 period, providing 3.27 billion rials, and with the creation of lines and the installation of the 63 and 20,000 kilovolt and low voltage stations in the various areas of this Province, in addition to aiding construction activities, will help expand and strengthen the existing stations and networks.

He added: Since about 50 percent of the electrical customers of Mazandaran Province consist of villagers, with the electricity brought to more than 2,400 villages of the Province, thus far, Mazandaran has the largest number of villages with electricity.

He mentioned that bringing electricity to other villages of the Province is dependent on resolving the problem of construction material, vehicles, and computers. He added: In this area, it has been projected that this company will receive an appropriate computer from the (anformatik) organization of Iran. In conclusion, he said concerning the five-year plan of the regional electricity company of Mazandaran: Since research in this area indicates that in the course of the first five-year plan, the level of annual consumption of electricity in the Province of Mazandaran will increase by 15 percent each year, such that the maximum load of the region is projected [to increase] from 260 megawatts during the period 21 March 1982-20 March 1983 to 550 megawatts during the period 21 March 1987-20 March 1988. Hence, we have in mind that in the course of the first five years, a plan to create 760 km of 63,000-volt lines, 1,250 km of 20,000-volt lines, and 1,260 low voltage lines will be put into operation and the capacity of the existing stations installed during the 1982-1983 period will increase from 365 megavolt amperes to 800 megavolt amperes during the 1987-1988 period. In this connection, 5,000 transformers will be installed along the network of lines. Thus far, more than 20 percent of this program has been implemented.



## BRIEFS

ULEMA ASKED TO LIVE MODESTLY--Qom, July 21 (IRNA)--Ayatollah Hussein Ali Montazeri once again repeated his call to the ulema to preserve their tradition of living modestly. In talks with members of the ulema from Qazvin and Bakhtaran in the past few days, he said God has required the leaders of justice to live on the level of the weakest people. He said the terrorist groups had created a special condition in the country which had forced the ulema to adopt certain limitations. But he added that these should gradually be reduced so that the ulema can live in a simple manner and be amongst the people. Ayatollah Montazeri also met with his representatives in the Tabriz university system. During the meetings he said students should make utmost use of the scientific training facilities at the universities. The head of the Polytechnic University presented donations from the university staff and teachers for the warfronts worth 800,000 rials (\$9,000). In other meetings, Ayatollah Montazeri held talks with the head of the newly established Martyrs' Foundation of Iraqi Kurdistan, as well as with Iranian diplomatic envoys in Libya, Britain, Belgium and Mozambique. [Text] [Tehran KAYHAN INTERNATIONAL in English 22 Jul 84 p 2]

CSO: 4600/679

PAPER CASTIGATES ARMS MANUFACTURERS

GF231250 Lahore NAWA-E WAQT in Urdu 16 Jul 84 p 3

[Editorial: "The Pressure and Duress of the Big Arms Manufacturers"]

[Excerpts] The Kuwait defense minister made an agreement to purchase \$320.7 million worth of arms and equipment from the Soviet Union. The United States in turn expressed apprehension and also warned Kuwait to be wary of large-scale arms purchases from the Soviet Union.

With the prolongation of the Iran-Iraq war, especially in view of increased Iranian air attacks on Arabian and non-Arabian tankers transporting oil from the Gulf, Kuwait tried to obtain Stinger missiles from the United States, but turned to the Soviet Union because of U.S. hesitation and its subsequent refusal. These are the same antiaircraft missiles which Saudi Arabia and Jordan tried to purchase some time ago, but the United States refused due to the furor raised by Israel.

Later, when Iranian attacks on oil tankers increased, the United States conceded to give a few of these to Saudi Arabia, but it did not revise its decision vis-a-vis Jordan. Even before this, Kuwait had been fulfilling its military requirements from the Soviet Union and is the only Gulf country with diplomatic ties to the Soviet Union.

This state of affairs should become food for thought for the Arab and Islamic countries--why are they so helpless and dependent toward meeting their defense requirements despite their immense wealth? The only solution is that they should find ways to meet their defense needs. It may be a slow process but without it, their helplessness and dependence will not end and their oil, opulence and influence will be no use and there will always be a threat looming over their freedom and independence.

CSO: 4656/183

## BRIEFS

REFUGEE INFLUX INTO NWFP DWINDLES--The influx of Afghan refugees into NWFP has considerably dwindled and the fresh arrivals over the last few weeks here remained confined to tens and twelves. Official sources told THE MUSLIM that this was the lowest influx since the refugees started pouring in from across the borders. They opined that the 'Mujahideen' too would not like any major outflow now as the Afghans inside their territory rendered various services to them and their outflow might create difficulties for them. These sources also denied that any refugee camp between Torkham and Jamrud had been shifted following the recent bombing by Afghan planes near Landi Kotal in which six children were killed. They pointed out that in fact no camps existed in that area and hence there was no question of their being shifted. The unregistered 'powindas' have, however, moved away from the area. [Text] [GF261130 Islamabad THE MUSLIM in English 9 Jul 84 p 8]

AFGHAN REFUGEE CAMPS MOVED--Peshawar--In view of frequent strafing by Afghan aircraft over the tent villages set up for Afghan refugees and for fear of possible deaths and other reasons, all Afghan refugee camps between (Tor Kham) and Jamrud in the Khybar Agency are being removed. The refugees at these camps will be settled at Nasir Bagh and other tent villages. The work has already started on the project. Even during the 'Id festival, the Afghan aircraft had tried to violate Pakistan territory. They have committed such violations several times before. In one of their recent bombing raids, six refugee children were killed and one woman was wounded. The woman was admitted to the hospital at Landi Kotal. [Text] [GF231155 Lahore JANG in Urdu 4 Jul 84 p 1]

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